

LOCAL VESSELS ADVISORY COMMITTEE

Minutes of the 20th Meeting

Date : 30 June 2016 (Thursday)

Time : 2:30 p.m.

Place : Conference Room A, 24/F, Harbour Building

Present

Chairman: Mr H. M. TUNG Deputy Director, Marine Department ('MD')

Members: Mr SIU Ping-wing Seafarers' Associations
Mr CHAN Woon-lung Cargo Vessels' Operations
Mr NG Kwok-wing, Eric Naval Architecture
Mr WEN Tsz-kit, Bondy Launch & Excursion Vessels' Operations
Mr CHEUNG Kwok-wai Ferry Vessels' Operations
Mr Leon CHAN Pleasure Boating Operations
Mr K. L. LAU Hong Kong Police Force ('HKPF')
Mr H. B. CHAN General Manager/Operations, MD
(Presentation of Paper No. 5/2016)
Mr P. K. YEUNG General Manager/Local Vessels Safety, MD
(Presentation of Paper Nos. 10 and 11/2016)

Secretary: Mr Anson M. C. SINN Executive Officer (Committee & General), MD

In Attendance

Mr KEUNG Siu-fai Hong Kong & Kowloon Floating Fisherman Welfare Promotion Association
Mr CHOR Yee-on The Hong Kong & Yaumati Ferry Co. Ltd.
Mr Wiskey CHAN The Hong Kong & Kowloon Ferry Holdings Ltd.
Mr WONG Yiu-kan Hong Kong Cargo-Vessel Traders' Association Ltd.
Mr LI Chi-keung Marine Excursion Association Ltd.

Mr KWOK Chi-hong	Marine Excursion Association Ltd.
Mr WONG Hon-kuen	HK & Kowloon Motor Boats & Tug Boats Association Ltd.
Mr KWOK Tak-kee	HK & Kowloon Motor Boats & Tug Boats Association Ltd.
Mr Emil PUI	HK & Kowloon Motor Boats & Tug Boats Association Ltd.
Mr LEE Shing-hing	Sai Kung Ferry Traders Association
Mr FAN Keung	Small Craft Workers Union
Mr WU Ka-shun	South China Towing Company
Mr CHAN Shu-wah	Hong Kong Apleichau Machinery Traders Association
Mr LAM Yan-chit	Hong Kong Pilots Association
Mr S. F. WONG	Assistant Director (Special Duties), MD
Mr Jerry TANG	Senior Surveyor/Local Vessels Safety, MD
Mr Y. K. LAI (Presentation of Paper Nos. 6 and 7/2016)	Chief, Maritime Policy, MD
Mr Q SHI (Presentation of Paper No. 8/2016)	Senior Surveyor /Technical Policy 1, MD
Mr F.O. MAK (Presentation of Paper No. 9/2016)	Senior Shipping Safety Officer/Marine Industrial Safety Section, MD

Absent with Apologies

Mr SZETO Feut	Ship Building and Repairing Industry
Mr WONG Leung-wai	Marine Insurance Industry
Mr Kevin FAN	River Trade Cargo Operations
Ir MAK Chiu-ki	Seafarers' Training
Mr HUANG Li-fan	Ship Survey Work
Hon Steven HO Chun-yin	Fishing Industry

Action

I. Opening Remarks

1. The Chairman welcomed all to the meeting, and extended welcome to the following new members:
 - Mr CHAN Woon-lung succeeded Mr WAN Guo-qing (representing Cargo Vessels' Operations).
 - Mr P. K. YEUNG succeeded Mr K. F. TANG (General Manager/Local Vessels Safety, MD).

II. Confirmation of Minutes of Last Meeting

Secretary

2. The minutes (bilingual version) of the 19th meeting held on 3 December 2015 were circulated to members on 5 February 2016. The minutes were confirmed without amendment.
3. [Post-meeting note: The minutes of the 19th meeting was uploaded to the website of MD on 6 July 2016¹.]

III. Information Items

GM/Ops

- (i) LVAC Paper No. 5/2016 – Compulsory Third Party Risks Insurance of Local Vessels Increase on Amount of Insurance Cover
4. Mr H. B. CHAN (GM/Ops, MD) presented the paper and informed members of the increase on amount of insurance cover in respect of the compulsory third party risks insurance of local vessels. The new statutory minimum amount of liability cover, applicable to local vessels and Mainland or Macau non-convention vessels, would come into effect on 1 September 2016.
5. Mr H. B. CHAN further stated that the Local Vessels Advisory Committee (LVAC) endorsed LVAC Paper No. 3/2015 “Review on the Compulsory Third Party Risks Insurance Requirement for Local Vessels” at its 17th meeting held on 5 May 2015 (paragraph 7 of the minutes of the meeting)², whereas Marine Department Notice (MDN)

¹ http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m151203.pdf

² http://www.mardep.gov.hk/en/aboutus/pdf/lvacp03_15.pdf and http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m150505.pdf (paragraph 7)

No. 71 of 2016³ was uploaded to the website of MD on 1 June 2016.

6. The Chairman called upon the industry to attend the two briefing sessions to be held in July for better understanding of the new requirement by operators of local vessels and river trade vessels (see paragraph 3 of the paper).
7. Members noted LVAC Paper No. 5/2016.

C/MF

(ii)

LVAC Paper No. 6/2016 – Implementation of the Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413P) on Local Vessels

8. Mr Y. K. LAI (Chief, Maritime Policy, MD) presented the paper and informed members of the implementation of the Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413P) on local vessels that replaced the existing Merchant Shipping (Prevention of Air Pollution) Regulation (Cap. 413M). The Regulation, applicable to all Hong Kong registered ships, foreign ships within Hong Kong waters, as well as local vessels as defined in the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), would come into effect on 1 July 2016 to implement the air pollution control requirements set out in Annex VI to the International Convention for the Prevention of Pollution from Ships (“the MARPOL”).
9. Mr Y. K. LAI further stated that LVAC circulated and endorsed on 1 April 2009 LVAC Paper No. 6/2009 “Implementation of Amendments to MARPOL Annex VI on Local Vessels”⁴.
10. Mr KEUNG Siu-fai asked if MD would send any letters to shipowners, operators, masters and agents of local vessels to draw their attention to the new Regulation.
11. Mr Y. K. LAI replied that MDN No. 39 of 2016⁵ was uploaded to the website of MD on 4 June 2016.
12. Members noted LVAC Paper No. 6/2016.

³ <http://www.mardep.gov.hk/en/notices/pdf/mdn16071.pdf>

⁴ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp6_09.pdf

⁵ <http://www.mardep.gov.hk/en/notices/pdf/mdn16039.pdf>

13. [Post-meeting note: The Secretary attached the proposed revised Code of Practice (CoP) and the paper via e-mail on 29 July 2016. As members raised no comment before the deadline (11 August 2016), the CoP and paper were deemed to have been endorsed.]

C/MP (iii) LVAC Paper No. 7/2016 – Implementation of the Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulation 2016 on Local Vessels

14. Mr Y. K. LAI (C/MP, MD) presented the paper and informed members of the implementation of the Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulation 2016 on local vessels. The revised Merchant Shipping (Prevention of Oil Pollution) Regulation (Cap. 413A), applicable to all Hong Kong registered ships, foreign ships within Hong Kong waters, as well as local vessels as defined in the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), would come into effect on 1 October 2016 to implement the oil pollution control requirements set out in Annex I to the MARPOL.
15. Mr Y. K. LAI further stated that LVAC endorsed at its 16th meeting LVAC Paper No.12/2014 “Implementation of MARPOL Annex I Amendments on Local Vessels” (paragraph 14 of the minutes of that meeting)⁶ on 10 October 2014. An MDN would be promulgated in due course.
16. Members noted LVAC Paper No.7/2016.
17. [Post-meeting note: MDN No. 101/2016⁷ was uploaded to the website of MD on 28 July 2016. The Secretary attached the proposed revised CoP and the paper via e-mail on 29 July 2016. As members raised no comment before the deadline (11 August 2016), the CoP and paper were deemed to have been endorsed.]

⁶ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp12_14.pdf and http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m141010.pdf (paragraph 14)

⁷ <http://www.mardep.gov.hk/en/notices/pdf/mdn16101.pdf>

SS/TP1 (iv) LVAC Paper No. 8/2016 –
Implementation of the Merchant Shipping (Safety) (Signals of
Distress and Prevention of Collisions) (Amendment)
Regulation 2016 on Local Vessels

18. Mr Q. SHI (SS/TP1, MD) presented the paper and informed members of the implementation of the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) (Amendment) Regulation 2016 on local vessels. The revised Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulation on Local Vessels (Cap. 369N), applicable to all Hong Kong registered ships, foreign ships within Hong Kong waters, and local vessels as defined in the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), would come into effect on 1 July 2016 to implement the International Regulations for Preventing Collisions at Sea 1972 (“COLREGs”) and the latest requirements. The amendments to Cap. 369N neither imposed any more stringent operational requirements for vessels nor required additional equipment to be installed. Some requirements had been relaxed, for example, vessels between 12 and 20 metres in length were no longer required to carry bells.
19. Mr Q. SHI further stated that LVAC endorsed at its 17th meeting LVAC Paper No. 6/2015 “Implementation of COLREGs Amendments on Local Vessels” (paragraph 17 of the minutes of the meeting)⁸ on 5 May 2015. MDN No. 86/2016⁹ was uploaded to the website of MD on 24 June 2016.
20. Members noted LVAC Paper No. 8/2016.
21. [Post-meeting note: The Secretary attached the proposed revised and updated versions of CoP via e-mail on 29 July and 8 August 2016 respectively. As members raised no comment before the deadline (19 August 2016), the CoP and paper were deemed to have been endorsed.]

⁸ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp06_15.pdf and
http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m150505.pdf (paragraph 17)

⁹ <http://www.mardep.gov.hk/en/notices/pdf/mdn16086.pdf>

SSSO/
MISS (v) LVAC Paper No. 9/2016 –
Guidelines on the Verification of Gross Mass of a Container
with Cargo Packed in Hong Kong

22. Mr F. O. MAK (SSSO/MISS, MD) presented the information paper and briefed members on the guidelines on the verification of gross mass (“VGM”) of a container with cargo packed in Hong Kong. The amendment to Regulation 2 in Chapter VI of the International Convention for the Safety of Life at Sea (“SOLAS”) would be in force in Hong Kong on 1 July 2016. The amendment required mandatory VGM of containers prior to loading onto vessels to which SOLAS Chapter VI applied. The requirement was applicable to SOLAS vessels only.

23. Mr F. O. MAK further said that MD held six briefing sessions between April and June 2016, with an attendance of over 1 000 people. The presentation slides for the briefing sessions and the Frequently Asked Questions could be downloaded from the website of MD.¹⁰ MDN Nos. 43, 87 and 90¹¹ were also uploaded to the website of MD on 15 April, 24 June and 28 June 2016 respectively.

24. Members noted LVAC Paper No. 9/2016.

IV. New Discussion Items

GM/LVS (i) LVAC Paper No. 10/2016 –
Proposal on Extension of Survey Intervals for Main Engines,
Gear Boxes, Tail Shafts, etc. of Class IA (> 60 people)
Passenger Vessels

25. Mr P. K. YEUNG (GM/LVS, MD) presented the paper and sought members’ endorsement of the proposal on the extension of the survey interval for survey items relating to the main engine, gear box, tail shaft, etc. of Class IA vessels which are licensed to carry more than 60 passengers (Class IA (> 60 people) passenger vessels).

¹⁰ http://www.mardep.gov.hk/en/pub_services/ocean/pdf/miss_vgm_presentation.pdf and http://www.mardep.gov.hk/en/faq/faq_miss_vgm.html.

¹¹ <http://www.mardep.gov.hk/en/notices/pdf/mdn16043.pdf>, <http://www.mardep.gov.hk/en/notices/pdf/mdn16087.pdf> and <http://www.mardep.gov.hk/en/notices/pdf/mdn16090.pdf>.

26. Mr P. K. YEUNG explained that in response to the request of the industry, MD collected information on time between overhauls, in terms of number of running hours, for main engines under several major brands which were commonly used by local vessels. Based on the assessment made after careful examination, MD considered that shipowners who fulfilled the conditions set out in the Annex of the paper might apply for extending the survey interval for the main engine, gear box, tail shaft, propeller, rudder and rudder stock for 12 months, from the current once every two years to once every three years. The conditions included:

- (a) the running hours of the main engine and gear box, when they were due for a survey, had not reached the time for overhaul recommended by the manufacturers or in other materials;
- (b) the main engine and gear box had been overhauled within the 24 months preceding the survey due date; or
- (c) the main engine and gear box had been completely renewed within the 24 months preceding the survey due date.

27. As members raised no further comment, LVAC Paper No. 10/2016 was endorsed. MD would amend the relevant CoP to implement the proposal accordingly.

28. [Post-meeting note: The Secretary attached the proposed revised CoP and the paper via e-mail on 29 July 2016. As members raised no comment before the deadline (11 August 2016), the CoP and paper were deemed to have been endorsed.]

(ii) LVAC Paper No. 11/2016 – Proposal for obviating the need for lifejackets provided on board Class II vessels to be fitted with lifejacket lights

GM/LVS

29. Mr P. K. YEUNG (GM/LVS, MD) presented the paper and sought members' endorsement on the proposal for obviating the need for lifejackets provided on board Class II vessels to be fitted with lifejacket lights.

30. Mr P. K. YEUNG informed members that the first sentence of paragraph 4 of the paper "Class III fishing vessels with 'Multiple Entry Permit' are allowed to operate in waters beyond Hong Kong" should read as "Class III fishing vessels

which have already been exempted from declaring imports and exports are allowed to operate in waters beyond Hong Kong”.

31. Mr P. K. YEUNG explained that lifejackets provided on board Class II vessels should be fitted with lifejacket lights under Section 2.8, Chapter 7 of the prevailing Code of Practice - Safety Standards for Class I, II and III Vessels (“CoP”)¹². The industry had indicated that though operating in waters beyond Hong Kong, these vessels were confined in the river industry area, comprising mostly inland watercourses. Given that the conditions of these waters were no worse than those in Hong Kong waters, it had called for a re-examination of the need for vessels operating in waters beyond Hong Kong yet confined in the river industry area to provide on board lifejackets fitted with lifejacket lights.
32. Mr P. K. YEUNG further said that in the light of maritime safety and in response to the views expressed by the industry, MD had conducted a benchmarking analysis based on the requirements of the maritime safety rules of Australia and New Zealand maritime authorities and considered it not necessary for lifejackets provided on board Class II vessels to be fitted with lifejacket lights.
33. [Post-meeting note: The second sentence of footnote 3 to LVAC Paper No. 11/2016 “Inshore limits are defined as the area ranging within 30 miles of a typhoon shelter” should read as “Inshore limits are defined as the area ranging within 30 nautical miles of a typhoon shelter”.]
34. Mr Leon CHAN asked whether those studies had taken into consideration the possible impact of current, even with moderate wind and waves, on the scope of search conducted by the search and rescue team for incidents happened in the evening or at night.
35. Mr S. F. WONG (AD(SD), MD) supplemented that although MD proposed that it was not necessary for lifejackets to be fitted with lifejacket lights, the SOLAS of the International Maritime Organization required that on vessels plying in international waters beyond Hong Kong, the lifejackets should be fitted with lifejacket lights, whistles and retro-reflective

¹² http://www.mardep.gov.hk/en/pub_services/ocean/pdf/lvs_cop123.pdf

tapes and lifebuoys should be fitted with retro-reflective tapes (see Section 2.8, Chapter 7 of the prevailing CoP).

36. Mr Leon CHAN held that lifejacket lights were crucial for assisting rescuers in search and rescue operations, and instrumental in pacifying the distressed awaiting rescue. He thus wished MD to consider withdrawing the proposal.
37. Mr WONG Yiu-kan held that as vessels had already been equipped with adequate life-saving appliances, including lifebuoys with self-igniting lights that were more luminous than lifejacket lights, he wished that MD would weigh the practicality of lifejacket lights.
38. Mr Leon CHAN added that in case accidents happened in areas with swift currents such as Po Toi Island and Lamma Island, lifebuoys might not be readily available to those in distress, who would probably go adrift alone. In such cases, the importance of lifejacket lights would be more prominent.
39. Mr S. F. WONG (AD (SD), MD) responded that it was not necessary for lifejackets to be fitted with lifejacket lights for vessels plying within Hong Kong waters under the existing mechanism. Besides, given that other countries including New Zealand also obviated the need for lifejackets to be fitted with lifejacket lights in waters within 30 nautical miles of the shore, whereas the waters beyond Hong Kong was still confined to the river industry area of which the range did not normally extend beyond 12 nautical miles of the coastline, MD thus proposed obviating the need for lifejackets provided on board Class II vessels to be fitted with lifejacket lights. This notwithstanding, MD did not object to the fitting of lifejackets with lifejacket lights by shipowners, and would not require them to remove the lifejacket lights (if fitted) during surveys.
40. Mr Leon CHAN found MD's explanation quite unacceptable. He wished MD to encourage those capable and responsible shipowners to have their lifejackets fitted with lifejacket lights. He also asked to have his views on lifejackets taken on record.

41. Mr KEUNG Siu-fai trusted the professional judgment of MD, and considered that lifejacket lights did not have much practical effect as the background light (such as floodlight) was much more luminous than the lifejacket lights whereas the Marine Police already had sufficient detection appliances to facilitate rescue and search operations.
42. As members raised no further comment, LVAC Paper No. 11/2016 was endorsed. MD would amend the relevant CoP for the implementation of the proposal.
43. Mr S. F. WONG (AD (SD), MD) added that MD would amend the relevant CoP in early July this year so as to implement the proposals stated in LVAC Paper No. 10/2016 and 11/2016. A two-week consultation period would also be set aside for seeking industry's views on the amended provisions which would only be gazetted if the industry raised no objection.
44. [Post-meeting note: The Secretary attached the proposed revised CoP and the paper via e-mail on 29.7.2016. As members raised no comment before the deadline (11 August 2016), the CoP and paper were deemed to have been endorsed.]

AD(SD) **V. Any Other Business**

(i) Partition and Amendment of the CoPs for Safety Standard for Class I to IV Vessels:

45. Mr S. F. WONG (AD(SD), MD) said that the existing CoPs for safety standard for Class I, II and III vessels were incorporated in one volume¹³ and the CoP for Safety Standard for Class IV Vessels in another volume¹⁴. Currently, MD's front-line officers and the industry had different understandings and interpretations of certain provisions of the CoPs. In order to align the understanding and interpretation of the CoPs between MD and the industry, MD intended to partition the CoPs for Safety Standard for Class I to IV Vessels into separate volumes at the end of this year. If there were any amendments to the provisions of the CoP for safety standard for a certain class of vessels, the

¹³ http://www.mardep.gov.hk/en/pub_services/ocean/pdf/lvs_cop123.pdf

¹⁴ http://www.mardep.gov.hk/en/pub_services/ocean/pdf/lvs_cop4.pdf

original and the fair version would be shown in the new edition in revision mode. MD would also consult the industry about the provisions of each chapter, paragraph and section of the related CoP. In case the industry held a different view on a certain provision, MD would discuss the issues with them on another platform (e.g. focus groups).

46. The Chairman appealed to the industry for their vigorous support for MD's proposal to partition and amend the CoPs for Safety Standard for Class I to IV Vessels. He called for concerted effort to produce a more precise version for ease of reading and application by the industry and MD's officers.
47. Mr Emil PUI enquired whether MD would rationalise the inconsistencies between the existing legislation and CoPs, if any.
48. Mr S. F. WONG (AD(SD), MD) responded that CoPs could not override the legislation. Therefore, the industry should ensure compliance with the requirements under the existing legislation. For example, the existing legislation requires a Class II vessel to carry children lifejackets of 5% (see Schedule 3 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation, Cap. 548G). Although MD was working on the legislative amendment which would take several years, the industry must comply with the aforementioned regulation in the meantime.
49. Mr Emil PUI considered that MD should provide a bilateral platform for discussing the partition and amendment of the CoPs with the industry instead of making a unilateral proposal to amend certain provisions.
50. Mr WEN Tsz-kit, Bondy enquired whether MD would set any time frame for amending the CoPs.
51. Mr S. F. WONG (AD(SD), MD) responded that the partition and amendment of the CoPs would definitely involve a bilateral exchange between MD and the industry. MD hoped to partition the CoPs for Class I to IV vessels into separate volumes as soon as possible. As for the more controversial provisions, MD would seek consensus with the industry on other platforms (e.g. focus groups).

52. Mr WEN Tsz-kit, Bondy further asked whether MD could have flexibility or discretion as to the interpretation of certain provisions of the existing CoPs during the transitional period.
53. Mr S. F. WONG (AD(SD), MD) reiterated that MD fully enforced the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and the provisions of the CoPs, and also formulated internal guidelines to assist front-line officers to interpret the provisions of the CoPs. Moreover, MD listened to the front-line officers' account of the enforcement of the CoPs, and the feedback from the industry, etc. in the monthly internal meetings on local vessels safety.
54. Mr KEUNG Siu-fai considered that some provisions of the CoPs were outdated, and enquired whether they could be deleted without prejudice to maritime safety.
55. The Chairman responded that the provisions of the CoPs were not subject to addition or deletion at will. Before amending the provisions of the CoPs (e.g. LVAC Paper No. 10/2016 and 11/2016), MD would make appropriate and rational assessments taking into account the situation of relevant countries and the local industry.
56. Mr S. F. WONG (AD(SD), MD) reiterated that MD fully enforced the relevant ordinances and the provisions of the CoPs. Regarding Mr KEUNG Siu-fai's written proposal asking MD to allow the industry to mark minor alterations not related to safety in the annex attached to plans (see paragraph 51 of the minutes of the 19th meeting), it would be outside the purview of the CoPs. MD considered Mr KEUNG's proposal in an in-house study in June this year. However, the legislation should be clarified and the definition and scope of minor alterations should be laid down. Regarding alterations related to safety, MD considered that shipowners should be required to re-submit plans for approval.

AD(SD) (ii) Class I Vessels permitted to carry more than 100 passengers – Regular Medical Examination for Coxswains

57. Mr S. F. WONG (AD(SD), MD) reported that MD issued letters to shipowners, ship managers, ship operators and coxswains on 20 April 2016, indicating that, with a view to boosting the safety of local passenger vessels for the

enhancement of local vessel and navigational safety, LVAC, at its 18th meeting on 18 August 2015, endorsed LVAC Paper No. 11/2015 “Regular Medical Examination for Coxswains” which provided guidelines on arranging medical examinations for coxswains of Class I vessels permitted to carry more than 100 passengers at an interval of not exceeding five years (section III.(vi) of the minutes of the meeting)¹⁵.

58. Mr S. F. WONG further said that the guidelines were applicable to Class I vessels permitted to carry more than 100 passengers. Employers should arrange medical examinations for coxswains employed upon their appointment and subsequently at an interval of five years. If the coxswain concerned had undergone a medical examination that conformed to the guidelines set out in the Annex within five years before the issue of the guidelines, such medical examination would be recognised. His employer would only have to arrange another medical examination for him anew subsequently at an interval of five years. MD would issue an MDN in due course. To avoid the last-minute rush, MD urged shipping companies to make prompt arrangement for affected coxswains to undergo medical examinations.

59. Members noted the above.

AD(SD) (iii) Navigation Simulation Assessment

60. Mr S. F. WONG (AD(SD), MD) said that LVAC, at its 18th meeting on 18 August 2015, endorsed LVAC Paper No. 12/2015 “Navigation Simulation Assessment”. The requirement was applicable to candidates for the Coxswain Grade I Certificate for operating Class I vessels and the Pleasure Vessel Operator Grade I Certificate for operating pleasure vessels let for hire or reward (section III.(vii) of the minutes of the meeting)¹⁶. MD would revise the examination rules and have them gazetted for implementation of the requirement in the third quarter.

¹⁵ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp11_15.pdf and http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m150818.pdf (section III.(vi)).

¹⁶ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp12_15.pdf and http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m150818.pdf (section III.(vii)).

61. Mr CHEUNG Kwok-wai doubted if training establishments had adequate resources to organise the courses (including, *inter alia*, whether there were sufficient instructors to teach the courses). He criticised the Maritime Services Training Institute (“MSTI”) for not providing the Refresher Training for Local Coxswain after a lapse of more than nine months, and for procrastinating several times the provision of courses in Fire Fighting (Local Craft), and Elementary First Aid and Proficiency in Medical First Aid (Combined). He went on to say that over 70% of the coxswains who were holders of the Coxswain Grade 1 Certificate of his company would retire in the coming few years. He was worried whether the training establishments would provide adequate navigation simulation assessment courses to facilitate candidates to complete the course so as to be eligible for the Coxswain Grade 1 Certificate.
62. Mr FAN Keung supplemented that the Small Craft Workers Union launched the navigation simulation assessment course last year, and the second class was held earlier this year. The course fee was around HK\$5,600. He further said that the Small Craft Workers Union would co-ordinate and liaise with the MSTI on the opening of classes when there were enough candidates. For the Fire Fighting (Local Craft) and First Aid courses, however, there were indeed difficulties in organising classes.
63. Mr S. F. WONG (AD(SD), MD) responded that the revision and gazetting of the Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules, Examination Rules for Local Certificates of Competency, and Examination Rules for Pleasure Vessel Operator Certificate of Competency would be put on hold in the light of the manpower problem of the industry. Moreover, MD would discuss with Director MAK Chiu-ki of MSTI and the Small Craft Workers Union about the frequency of courses offered by training establishments, the number of people in the industry who had yet to enrol on the courses, intakes of training establishments, etc.
64. The Chairman concluded that MD would collect data for assessing the severity and origin of the issues before determining how course content and examination rules could be interwoven.

AD(SD) (iv) Subsidy Scheme for Installation of Radar on Local Passenger Vessels

65. Mr S. F. WONG (AD(SD), MD) reported that on requiring passenger vessels to install three kinds of navigational and communication equipment (namely Automatic Identification System, radar and Very High Frequency (“VHF”) radiotelephone) for improving their navigational and communication equipment, amendment to existing legislation was in progress. To encourage the industry to install conformed radar, MD launched a scheme in January 2016 to subsidise half of the fees for the installation of conformed radar on local passenger vessels. The deadline for application was 31 March 2017 (see LVAC Paper No. 16/2015 “Subsidy Scheme for Installation of Radar on Local Passenger Vessels”)¹⁷. The Chairman reminded the industry that applicants would only be granted the subsidy on the condition that they had installed conformed radar on board and made the required undertaking (see paragraph 9 of LVAC paper and Part 4 of the application form).

AD(SD) (v) VHF Radiotelephone

66. Mr S. F. WONG (AD(SD), MD) urged the industry to install VHF radiotelephones and said that they could apply to the Communications Authority (“CA”) for or enquire about type-approval or type-acceptance of portable VHF radiotelephone equipment by themselves or through unions/associations.
67. [Post-meeting note: The information related to application or enquiry can be retrieved from the webpage of CA (OFCA I 401(16) Issue 21, July 2016.¹⁸]

Gm/LVS (vi) Joint Sub-committee on Class I and Class IV Vessels – Working Group on the Duty Roster and Working/Rest Time Arrangements

68. Mr P. K. YEUNG (GM/LVS, MD) reported that the Joint Sub-committee on Class I and Class IV Vessels had issued LVAC Paper No. 9/2012 “Working Time Arrangements for Crew of Local Passenger Carrying Vessels”¹⁹ to seek

¹⁷ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp16_15.pdf and

http://www.mardep.gov.hk/en/aboutus/pdf/lvacp16_15anx1.pdf.

¹⁸ <http://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/i401e.pdf>

¹⁹ http://www.mardep.gov.hk/en/aboutus/pdf/lvac_jsc_p1209.pdf

members' views. At the 5th meeting held on 11 April 2013, MD reiterated the proposed guidelines, which included (1) a 30-minute rest period should be given after 6 hours of continuous on-duty navigation; (2) the cumulative total on-duty time in every 24 hours should be capped at 13 hours; and (3) crew should have a meal break of no less than 40 minutes, which could also be considered as a rest period. The above proposed guidelines would only apply to licensed ferries at the initial stage and, subject to smooth implementation, might be extended to launches (see paragraph 31 of the minutes of the meeting).²⁰

69. Mr P. K. YEUNG further said that at the meeting of the Working Group on the Duty Roster and Working/Rest Time Arrangements of the Joint Sub-committee held on 12 May 2016, various parties expressed their views on MD's above guidelines as follows:

- (a) The employee representatives supported in principle to issue guidelines on working time for crew, but considered it difficult to implement in view of manpower shortage and suggested offering trainings to the basic-level crew (such as seamen) as a long-term measure to tackle the problem. At present, the 24-24 work arrangement was commonly adopted by the industry. The employee representatives held that the arrangement might have to be changed into that of "12-hour-on and 12-hour-off" or three watch system (i.e. 8-8-8 work arrangement) subsequent to the implementation of working hour cap, which would affect their income. In addition, the need for seamen to report for duty every day would effectively incur higher travelling expenses.
- (b) The employer representatives remarked that the shortage of manpower in the industry was due to the fact that fewer young people would consider joining the local ferry industry and that the existing manpower was ageing seriously. Grave difficulties were envisaged if the regulation on working hours was enhanced at the same time. Additional staff were required if the on-duty time was regulated stringently while the existing scheduled service kept unchanged. Given the manpower shortage, ferry companies would however not be able to recruit adequate number of staff. It was suggested that MD

²⁰ http://www.mardep.gov.hk/en/aboutus/pdf/lvac_jsc_m130411.pdf (paragraph 31)

should enhance training for new blood for the local vessel industry.

As members could not reach a consensus on the duty roster and working/rest time arrangements for crew, MD gave both sides more time for deliberations with industry members, and further meetings would be called upon as and when necessary.

70. Mr CHEUNG Kwok-wai supported in principle MD's proposal, and hoped that the Government would allocate more resources to the training of young people for the local maritime industry to address the manpower shortage.
71. The Chairman indicated that manpower development was one of the policy initiatives of the Transport and Housing Bureau (THB). MD would continue to communicate with THB to implement various initiatives and incentive schemes under the Maritime and Aviation Training Fund and continue to promote tripartite collaboration with the industries and the academia so as to support the manpower development of the maritime industry.

SS/LVS (vii) LVAC Papers No.17/2015 to 19/2015

72. Mr Jerry TANG (SS/LVS, MD) said that LVAC endorsed LVAC Paper No. 17/2015 "Proposal on Optional Installation of a Sea-Connection Fish-Hold on Fishing Sampans"²¹, No. 18/2015 "Amendments to Requirements on Awnings on Fishing Sampans"²² and No. 19/2015 "Miscellaneous Amendments to CoP – Safety Standards for Class I, II and III Vessels and CoP – Safety Standards for Class IV Vessels"²³ at its 19th meeting on 3 December 2015. Gazette notices would be arranged in due course.
73. [Post-meeting note: Regarding the endorsed Paper No. 18/2015 "Amendments to Requirements on Awnings on Fishing Sampans", as members of the Sub-committee on Class III Vessels repeatedly requested for revision to the height of the awning in the aforementioned paper in the 14th and 15th meetings²⁴ on 26 April

²¹ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp17_15.pdf

²² http://www.mardep.gov.hk/en/aboutus/pdf/lvacp18_15.pdf

²³ http://www.mardep.gov.hk/en/aboutus/pdf/lvacp19_15.pdf

²⁴ http://www.mardep.gov.hk/hk/aboutus/pdf/lvac_sc3_m160426c.pdf and http://www.mardep.gov.hk/hk/aboutus/pdf/lvac_sc3_m160613c.pdf

and 13 June 2016 respectively, MD proposed changing the height requirement of the awning from “no more than 1.6 metres above the main deck” to “no more than 1.85 metres above the lowest level of the main deck”. The Secretary then attached the proposed revised CoPs and paper via e-mail on 29 July 2016. As members raised no comment before the deadline (11 August 2016), the CoPs and the paper were deemed to have been endorsed.]

VI. Adjournment of Meeting

74. The Chairman gave valedictory remarks to members, and expressed heartfelt gratitude for their support for MD. He hoped that members would continue to support the succeeding Deputy Director, and that the partition of CoPs could be completed early next year.
75. There being no other business, the meeting was adjourned at 4:15 p.m. The date of next meeting would be announced in due course.

CONFIRMED the minutes 30th day of December 2016.

Committee Unit
Marine Department
Ref.: L/M (29) to HQ/COM 425/1(17)