

LOCAL VESSELS ADVISORY COMMITTEE
Minutes of the 30th Meeting

Date : 29 June 2021 (Tuesday)
Time : 2:30 p.m.
Place : Conference Room A, 24/F, Harbour Building

Present

Chairman:	Mr S. F. WONG	Deputy Director, Marine Department (“MD”)
Members:	Mr HO Sheung-yan	Chief Inspector (Operations) (Marine Regional Headquarters), Hong Kong Police Force (“HKPF”)
	Mr H. B. CHAN	General Manager/Operations, MD
	Mr Jerry TANG	General Manager/Local Vessels, MD
	Mr Simon CHEN	Naval Architecture
	Mr KAM Dik-chiu, Dick	Ship Survey Work
	Mr ZHAO Qijing, Steven	Marine Insurance Industry
	Mr WONG Chi-ming	Seafarers’ Training
	Mr FAN Keung	Seafarers’ Associations
	Mr CHEUNG Kwok-wai, Demen	Launch & Excursion Vessels’ Operations
	Mr WEN Tsz-kit, Bondy	Ferry Vessels’ Operations
	Mr FONG Chi-fai	River Trade Cargo Operations
	Mr WOO Cho-wing, John	Pleasure Boating Operations
Secretary:	Ms LIU Ka-yu, Athena	Executive Officer (General & Committee), MD

In Attendance

Mr SHI Qiang	Assistant Director/Local Vessels and Examination, MD
Mr LEE Kin-fai, Jason	Senior Marine Officer/Licensing & Port Formalities, MD
Mr YU Kin-chung	Senior Surveyor of Ships/Seafarers and Examination (2), MD
Mr LIU Ren	Senior Surveyor of Ships/Local Vessels Safety, MD

Mr LAM Kong-hei, Yale David	Senior Surveyor of Ships/Quality Management, MD
Mr Emil PUI	HK & Kowloon Motor Boats & Tug Boats Association Limited
Ms Mandy WONG	Sun Ferry Services Company Limited (Assistant Operations and Marine Manager)

Absent with apologies

Ms Lo Chung-shi, Karen	Ship Building and Repairing Industry
Mr NG Tai-sing, Carven	Cargo Vessels' Operations
Mr YEUNG Sheung-chun	Fishing Industry

I. Opening Remarks

1. The Chairman welcomed Mr WONG Chi-ming (representing Seafarers' Training), Mr WOO Cho-wing, John (representing Pleasure Boating Operations) and Chief Inspector HO Sheung-yan (Marine Regional Headquarters) to attend the meeting of the Local Vessels Advisory Committee ("LVAC") for the first time, and also welcomed Mr Emil PUI (Secretary of HK & Kowloon Motor Boats & Tug Boats Association Limited) and Ms Mandy WONG (Assistant Operations and Marine Manager of Sun Ferry Services Company Limited) as observers, and apprised all of the house rules of the LVAC:
 - (i) All participants are requested to turn their mobile phones to silent mode.
 - (ii) The Secretariat will not make written records of the oral comments made by observers in the meetings.
 - (iii) Observers should have the Chairman's signal of consent before speaking in the meeting. Observers will not have the right to vote if and when there is a question coming or arising before an LVAC meeting.
 - (iv) If the discussion items involve restricted or confidential documents, pursuant to the "need-to-know" principle, the Chairman can ask observers to withdraw from/leave the meeting. The paper concerned

and the discussion will be restricted to the staff members of the MD and the members of the LVAC.

II. Confirmation of Minutes of Last Meeting

1. With the Chairman's confirmation, members unanimously endorsed the minutes of the last meeting. The minutes would be uploaded to the website of the MD.

(Post-meeting note: The minutes of the 29th meeting was uploaded to the website of the MD on 9 July 2021.)

III. Information Items

(i) LVAC Paper No. 8/2021 – Delegation of Cap.413A and Cap.413P Survey Services to Authorized Organizations

1. Mr Jerry TANG (General Manager/Local Vessels (“GM/LV”), MD) presented the LVAC Paper No.8/2021. He said that the MD would issue a Marine Department Notice to inform the trade of the new survey arrangements, which would be posted on the MD's website. The relevant parts of the Code of Practice for local vessels would also be amended as appropriate.
2. Members noted the LVAC Paper No. 8/2021.

(ii) LVAC Paper No. 9/2021 – Licensing Requirements for Class IV PVs for Hire or Reward on or after 1 August 2021

1. Mr LEE Kin-fai, Jason (Senior Marine Officer/Licensing & Port Formalities (“SMO/L&PF”), MD) presented the LVAC Paper No.9/2021. He reported that the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548, section 6 of sub. leg. D) had been amended in 2020. The owner of a Class IV vessel must obtain the Director of Marine's prior approval and endorsement on the vessel's operating license if the vessel was to be let for hire or reward. The one-year transitional period for the amendment would end on 1 August 2021. He invited members to note the amendment requirements, and to inform parties concerned for compliance.
2. Members noted the LVAC Paper No. 9/2021.

(iii) LVAC Paper No. 10/2021 – Transitional Period for Provision of Lifejackets on Local Vessels and the Subsidy Scheme

1. Mr SHI Qiang (Assistant Director/Local Vessels & Examination (“AD/LVE”), MD) presented the LVAC Paper No. 10/2021. He added that to assist the trade to procure suitable lifejackets to meet the new legislative requirements, a subsidy scheme had been introduced by the Government to provide financial support to shipowners of local commercial passenger-carrying vessels. For details of the subsidy scheme, reference could be made to Marine Department Notice No. 198/2019.
2. Mr CHEUNG Kwok-wai, Demen (Launch & Excursion Vessels’ Operations) opined that under the pandemic, there was a need for the MD to enhance its publicity measures on vessel safety, in order to remind the trade of the relevant operational and regulatory requirements. Mr SHI Qiang responded that the Local Vessels Branch would publish promotional leaflets to remind the trade of such requirements. The Chairman shared that the MD and relevant departments, including the Marine Police, had been co-organising three seminars annually as one of the publicity measures. He hoped that in the coming autumn and winter, where circumstances permitted, the MD would relaunch the above seminars and step up its promotion efforts to publicise the regulatory measures of marine safety by means of leaflet distribution and online publicity. He called on the Sun Ferry Services Company Limited and HK & Kowloon Motor Boats & Tug Boats Association Ltd. to remind their members of the deadline for the application for subsidy as necessary.
3. Members noted the LVAC Paper No. 10/2021.

(iv) LVAC Paper No. 11/2021 – Implementation Date for the Provision of Radiotelephony on board Certain PVs

1. Mr SHI Qiang (AD/LVE, MD) presented the LVAC Paper No. 11/2021. He added that the MD had been closely monitoring the progress of course attendance and examination result. With active participation by Class IV vessel operators, and thanks to the efforts from Small Craft Workers Union and the Office of the Communications Authority, a sufficient number of operators had completed training courses and obtained radio operating personnel certificates through examinations. With this satisfactory progress, and as

supported by the trade during previous consultations, the new requirement would be implemented on 1 January 2022. The Chairman thanked the Communications Authority and the Small Craft Workers Union for their great support in strengthening the safety management of Class IV vessels.

2. Members noted the LVAC Paper No. 11/2021.

(v) LVAC Paper No. 12/2021 – Updates on Local Certificate of Competency Examinations

1. Mr YU Kin-chung (Senior Surveyor of Ships/Seafarers and Examination (2), MD) presented the LVAC Paper No. 12/2021. He supplemented that in addition to the traditional method of application for the Pleasure Vessel Operator Grade 2 Certificate of Competence (PVOC2) examination, an electronic on-line system for application and related fee payment had been launched on 19 April 2021. Henceforth, candidates taking the PVOC2 examination might choose to apply for the examination through the on-line system.
2. Members noted the LVAC Paper No. 12/2021.

IV. New Discussion Items

(i) LVAC Paper No. 13/2021 - Amendments to CoP to introduce a 5-year survey cycle for Class I local vessels classed with Classification Societies (Authorized Organizations) and the relevant certification arrangements

1. Mr LIU Ren (Senior Surveyor of Ships/Local Vessels Safety, MD) presented the LVAC Paper No. 13/2021. He emphasised that the arrangements facilitated shipowners to maintain the classification status of their vessels that had been classed with Classification Societies so that the vessels could satisfy both the statutory requirements and the requirements imposed by Classification Societies.
2. Mr CHEUNG Kwok-wai, Demen (Launch & Excursion Vessels' Operation) agreed, on behalf of the industry, to follow the lead of Classification Societies to introduce the survey scheme. As the proposal was relatively complicated for the trade and Classification Societies to implement, and many details were still in the preliminary draft stage, he suggested that briefings should be organised for the trade associations to help their members understand details of

the arrangements. Mr KAM Dik-chiu, Dick (Ship Survey Work) suggested that the department should brief members of the trade associations before implementing the arrangements. Mr Jerry TANG (GM/LV, MD) responded that the department would strive to tie in with Classification Societies and brief the trade as well as members of various Classification Societies on the information discussed.

3. Mr WEN Tsz-kit, Bondy (Ferry Vessels' Operations) indicated that very few members of the trade associations concurrently possessed a classification certificate and a local vessel certificate of survey. He suggested that the revised certification arrangements should be reviewed after a 5-year cycle, with the situation of implementation considered, so as to allocate more time and resources for briefings with the trade.
4. Mr CHEUNG Kwok-wai, Demen (Launch & Excursion Vessels' Operation) enquired about the methods used by the trade for the calculation and implementation of the 30-month and 60-month survey cycles. Mr Jerry TANG (GM/LV, MD) responded that in the 5-year cycle under the classification certificate, the 30-month periodical survey (2.5 years – interim survey) could be carried out from the 21st month to the 39th month in the 5-year survey cycle (also known as the 60-month survey cycle). In the 60-month survey cycle, the docking survey should be carried out at least twice in each cycle; and the interval between two docking surveys should not be more than 36 months. Passenger-carrying vessels required an annual hull survey, with the length of the interval between surveys depending on the requirements of different items, and shipowners had the right to choose whatever final arrangements they wished.
5. After discussion, members agreed to endorse the LVAC Paper No. 13/2021. The MD would amend the relevant CoP to implement the recommendations. The amended CoP would be further made public by notice before coming into operation. In addition, technical briefings would be arranged with the industry to help them better understand this aspect and facilitate shipowners to make their choices.

(ii) Paper No. 14/2021 – Transition from High Speed Craft (HSC) Code 1994 to HSC Code 2000 for locally licensed HSC ferries

1. Mr Jerry TANG (GM/LV, MD) presented the LVAC Paper No. 14/2021. He added that, having referred to the legislation on cross-boundary HSC (travelling to and from Macao) as the standard and technical requirements, and having considered the characteristics of Hong Kong waters, the department found that exemption of certain items from the requirements might be considered. In this connection, a list of items under the exemptible clauses applicable to local ferries and the future newly-licensed high speed passenger craft had been finalised as per Annex 1 to the LVAC Paper No. 14/2021.
2. Members agreed to endorse the LVAC Paper No. 14/2021. The MD would amend the relevant HSC to implement the recommendations.

V. Any Other Business

(i) Proposed Introduction of a Survey Mechanism for Pleasure Vessels Fitted with High-power Engines

Mr HO Sheung-yan (Chief Inspector (Operations) (Marine Regional Headquarters), HKPF) pointed out that during the conduct of anti-smuggling and anti-illegal immigration operations, the Marine Police found that some speedboats were fitted with too many engines and their total horsepower far exceeded the need for normal and lawful pleasure purposes. Under the current maritime legislation framework in Hong Kong, survey was not a mandatory requirement for pleasure vessels not let for hire or reward when applying for an operating licence. In the past, there had been a case in which a speedboat fitted with four high-power engines was impounded by the Police, and the applicant proceeded with the licence application procedure and submitted to the MD information which was clearly different from the actual conditions of the vessel. Nevertheless, a pleasure vessel licence was still granted to the speedboat concerned in the end. In view of this, he suggested the MD to introduce a survey mechanism for pleasure vessels fitted with high-power engines. Reference could also be made to the practice adopted by other departments in which restrictions were imposed on applicants for licence application and licence renewal. Mr LEE Kin-fai, Jason (SMO/L&PF, MD) explained the MD's licensing procedures, including an existing licensing condition stipulating that no vessel alteration would be allowed without the permission of the Director of Marine. However, Mr HO Sheung-yan (Chief Inspector (Operations) (Marine Regional Headquarters), HKPF) pointed out that the deterrent effect of the penalty for violating the

licensing condition was apparently inadequate. Mr Simon CHEN (Naval Architecture) proposed that the MD, when granting licences, could align with international practice by requiring vessels to install a Hull Number/Craft Identification Number plate manufactured in accordance with both established domestic and international (such as China, European Union, the United States and Australia) regulatory requirements. The number could be found on most of the imported yachts in Hong Kong, and contained information of the shipbuilder in accordance with the ISO Standard. In addition, the MD would register the number and information of the hull at the time of issuing licences. This could facilitate various parties, especially the law enforcement agencies, to locate and identify the source and identity of vessels in the future, with a view to preventing illegal vessel alteration and the behaviour of assigning licences of a vessel to another vessel. Mr LEE Kin-fai, Jason (SMO/L&PF, MD) responded that at present, applicants for vessel licences were required to submit the certificate and invoice issued by the shipbuilder as well as invoice of engine showing the particulars of the vessel and the engine. After discussion, the Marine Police would continue to negotiate follow-up actions with responsible sections of the MD under the existing mechanism.

(Post-meeting note: Under the existing mechanism, the inter-departmental joint working group between the Police, the Customs and Excise Department and the MD could convene regular meetings to discuss the licensing and survey of pleasure vessels.)

(ii) Granting of Permission for Licence Application Procedures to be Conducted through an Online Platform

Mr CHEUNG Kwok-wai, Demen (Launch & Excursion Vessels' Operations) said that with the impact of the pandemic, the Licensing Section might at times need to be closed. He suggested the MD to provide online application as an option to help divert the flow of applicants and enhance the efficiency in processing applications. The Chairman agreed that while electronic services can provide more convenient arrangements to the public, it was necessary to understand the views of the trade on electronic services prior to their implementation.

VI. Adjourment of Meeting

There being no other business, the meeting was adjourned at 4:30 p.m. The date of the next meeting would be announced in due course.

The minutes of the meeting were confirmed on 30 December 2021.

Committee Unit

Marine Department

Ref.: L/M(4) to MD-COM F02-000-01A-001(Pt.1)