

LOCAL VESSELS ADVISORY COMMITTEE¹

STANDING ORDERS²

(8 December 2006)

1. LANGUAGE

The records of the proceedings of the Local Vessels Advisory Committee ('the Committee'), including all papers relating to those proceedings, shall be in both English and Chinese languages.

2. MEETING OF THE COMMITTEE

- I. The Committee shall hold regular meetings at such intervals as its members consider appropriate and may adjourn from time to time.
- II. The Chairman may at any time summon an extraordinary or emergency meeting of the Committee.
- III. If a quorum is not present within twenty minutes after the time appointed for the meeting, the Chairman or a member acting on his behalf, shall adjourn the meeting until the next ordinary day of meeting or to any day requested by three members present, providing that such day be not less than ten days from the date of the adjourned meeting.

3. COMPOSITION OF THE COMMITTEE AND QUORUM

- I. The Committee shall consist of ³—
 - (a) The Deputy Director of Marine who shall be the Chairman.
 - (b) Three official members who shall be:

¹ Section 4(1) of the Merchant Shipping (Local Vessels) Ordinance (Cap.548) ('the Ordinance')

² Sections 4(11) and 4(12) of the Ordinance

³ Section 4(2) of the Ordinance

- (i) Superintendent (Operations) (Marine Regional Headquarters), Hong Kong Police Force, or his representative, nominated by Commissioner of Police
 - (ii) General Manager/Local Vessel Safety, Marine Department appointed by the Director of Marine
 - (iii) General Manager/Operations, Marine Department appointed by the Director of Marine
- (c) 12 non-official members who shall be appointed *ad personam* by the Director of Marine and who shall have expertise in the following fields:
- (i) Ship building and repairing industry
 - (ii) Naval architecture
 - (iii) Ship survey work
 - (iv) Marine insurance industry
 - (v) Seafarers' training
 - (vi) Seafarers' associations
 - (vii) Cargo vessels' operations
 - (viii) Launch and excursion vessels operations
 - (ix) Ferry vessels' operations
 - (x) River trade cargo operations
 - (xi) Pleasure boating operations
 - (xii) Fishing industry

II. Not less than half the members of the Committee (as described in para. 3.I.(a) to (c) above) shall form a quorum at any meeting of the Committee⁴.

⁴ Section 4(5) of the Ordinance

- III. The Chairman of the Committee shall preside at all meetings of the Committee but, if the Chairman is absent from any meeting or any part thereof, he may nominate a member to preside in his absence as Chairman at the meeting or part thereof⁵.
- IV. The Director of Marine shall appoint an officer of the Marine Department to be the Secretary of the Committee⁶.

4. NOTICE AND PLACE OF MEETING

- I. Notice and agenda of a meeting shall be given by the Secretary to each member of the Committee at least seven clear days before the day of a regular meeting, or in the case of an extraordinary or emergency meeting as long as practicable shall be given.
- II. All Committee meetings shall be held in Marine Headquarters or elsewhere as current circumstances may dictate.

5. CONDUCT OF BUSINESS

- I. The order of business at every meeting of the Committee shall be –
 - (a) To approve as a correct record the minutes of the last meeting of the Committee.
 - (b) To raise any matters arising from the minutes of the last meeting of the Committee.
 - (c) To receive such communications as the Chairman may desire to lay before the Committee.
 - (d) To consider items on the agenda in the order in which they have been given.
 - (e) To consider any other business, if any, and to set a date for the next meeting, if practicable.

⁵ Section 4(6) of the Ordinance

⁶ Section 4(8) of the Ordinance

- II. Any item which a member would like to be included on an agenda shall be submitted, together with sufficient explanatory material to enable the preparation of a Committee Paper, at least 14 clear days before the next meeting of the Committee, at the office of the Secretary, who will then be responsible for their circulation to members prior to the next meeting.

6. MINUTES

- I. The Secretary shall keep minutes of the proceedings of the Committee, and of any sub-committee and shall, as soon as possible after each meeting, circulate a copy of the draft minutes to each member. Members will be invited to submit amendments to the draft minutes in writing to the Secretary.
- II. The minutes of the proceedings of the Committee, and of any Sub-Committees, shall record the names of the members attending and the conclusions reached by the Committee.
- III. The text of addresses made by members shall not form part of the minutes but dissenting opinions shall be attached to the official records if the member himself supplies to the Secretary an accurate transcription.
- IV. At the next ensuing meeting of the Committee or Sub-Committee the Chairman shall obtain the confirmation of the Committee that the minutes are a true record.
- V. No discussion shall take place upon the minutes, except upon their accuracy.
- VI. The secretary shall furnish to the Director a record in writing of every meeting of the Committee⁷.

7. VOTING

- I. All questions coming or arising before a meeting of the Committee shall be decided by a majority of the members of the Committee present and voting thereon.

⁷ Section 4(9) of the Ordinance

- II. At any meeting, the Chairman of the Committee or any member presiding in his absence shall have a vote on all matters coming before the Committee; and in the case of an equality of votes he shall also have a casting vote⁸. The same is applicable to the Sub-Committee.
- III. Every question shall be determined by a show of hands, and at the request of any member the way in which he gave his vote, or the fact that he abstained from voting, shall be recorded in the minutes.

8. DECLARATION OF INTERESTS⁹

- I. If a member (including the Chairman) has any direct personal or pecuniary interest in any matter under consideration by the Committee, he must, as soon as practicable after he has become aware of it, disclose to the Chairman (or the Committee) prior to the discussion of the item.
- II. The Chairman (or the Committee) shall decide whether the member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.
- III. If the Chairman declares an interest in a matter under consideration, the chairmanship may be temporarily taken over by a delegated member.
- IV. When a known direct pecuniary interest exists, the Secretary may withhold circulation of relevant papers to the member concerned. Where a member is in receipt of a paper for discussion which he knows presents a direct conflict of interest, he should immediately inform the Secretary and return the paper.
- V. All cases of declaration of interests shall be recorded in the minutes of the meeting.

⁸ Section 4(7) of the Ordinance

⁹ Para. 7 of LVAC Paper No. 4/2007 'Declaration of Interests by Members of the Local Vessels Advisory Committee'

9. SUB-COMMITTEES

- I. The Committee may appoint Sub-Committees which may include persons who are not members of the Committee, and may by appointment or removal change the personnel of any such Sub-Committee.
- II. The Committee shall appoint a chairman for each Sub-Committee.
- III. Any matter may be referred by the Chairman to a Sub-Committee.
- IV. The Chairman of the Committee shall have the right to attend and vote as a member at any meeting of any Sub-Committee appointed by the Committee, whether or not he be specifically appointed a member of that Sub-Committee.
- V. Not less than one quarter of the members of a Sub-Committee shall form a quorum at any meeting of the Sub-Committee but, in any case, a quorum of the Sub-Committee shall not be less than two members.
- VI. A Sub-Committee may, without prejudice to paragraph 9(I) of these standing orders, co-opt members into the Sub-Committee, and shall at all times furnish the Chairman of the Committee with full particulars of all persons co-opted.
- VII. Upon the conclusion of its deliberations a Sub-Committee shall prepare a factual report covering all aspects of its work for the consideration of the Committee. The report, as with all other materials, should be forwarded to the Chairman and the Secretary of the Committee for information and inclusion on the agenda of the next meeting of the Committee.

10. STANDING ORDERS

- I. These standing orders may be amended or added to at any meeting of the Committee, as the Chairman sees fit, subject to the approval of the Director.
- II. A soft copy of the standing orders shall be given to a newly appointed/ re-appointed member of the Committee by the Secretary.

11. SECRETARIAT OF THE COMMITTEE

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