

LOCAL VESSELS ADVISORY COMMITTEE

Proposal to Review the Number of Speed Restricted Zones for Vessels, Their Enforcement Periods and the Penalty

Purpose

This paper seeks members' views on proposed changes to the speed restricted zones for vessels (SRZs), the restricted hours and periods, and the penalty for the offences.

Background

2. Pursuant to the provisions of the Shipping and Port Control Regulations (Cap. 313A) and the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548F) on the 22 specified SRZs, no vessel shall proceed at a speed exceeding 5 knots in any of the SRZs during the restricted hours (i.e. between the hours of 8 a.m. and 12 midnight) of the restricted periods (i.e. on any Saturday or public holiday or on any day during the period from 1 July to 15 September (both days inclusive) in any year). In this regard, the Marine Department (MD) issues a Marine Department Notice annually to remind all vessel operators of the statutory requirements (see *Annex I*).

3. The current SRZs and their restricted hours and periods have been in force for years. The last revision was made in 2004 where three SRZs, namely Tai Tam Bay (Zone A10), Repulse Bay (Zone A11) and Discovery Bay (Zone L1), were added.

4. In recent years, vessels proceeding at a high speed outside restricted hours and periods have been posing a danger to the safety of persons working or staying on boats moored to mooring buoys and persons engaged in boating, canoeing, swimming and other water sports activities. Moreover, the wake wash generated by bigger pleasure vessels fitted with more powerful propulsion engines in sensitive areas, such as fish culture zones (FCZs), and narrow waterways may also cause damage to the facilities of FCZs.

The Working Group

5. In the light of the above and to provide better protection for those at sea, a Speed Restricted Zone Review Working Group comprising representatives from MD, the Marine Police (MARPOL), the Agriculture, Fisheries and Conservation Department (AFCD), and the Leisure and Cultural Services Department (LCSD) was formed earlier to review the stipulated speed limits for vessels within Hong Kong waters.

6. After examining the characteristics of various water areas in relation to speed limits for vessels, having taken into consideration information such as the past accident rates, public complaint figures and relevant geographical settings of current SRZs, the working group recommended introducing additional SRZs in various water areas, changing the restricted periods of certain SRZs to accommodate the schedules of water sports activities, and revising the maximum fine for a speeding offence from level 1 (HK\$2,000 at maximum) at present to level 3 (HK\$10,000 at maximum) to reflect the serious consequences of speeding.

Consultation

7. In July 2015, MD consulted the Subcommittee on Class IV Vessels¹ under this Committee on the recommendations of the working group. Discussions were also held with stakeholders of Sai Kung, Tai Po, Hong Kong Island South and outlying islands. Moreover, MD consulted the Area Committee of Sai Kung District Council and the Traffic and Transport Committee of Tai Po District Council on the recommendations in May 2017 and September 2018 respectively and secured their support. Having considered the comments of various parties, MD came up with a proposal as set out below.

Proposed Amendments

8. Proposed amendments to legislation on SRZs are as follows:

¹ See Paper No. 2/2015 of the Subcommittee
(https://www.mardep.gov.hk/en/aboutus/pdf/lvac_sc4_p1502.pdf).

- (i) establish eight new SRZs, four in Tai Po and four in Sai Kung areas:
 - Tai Po area – Sam Mui Tsai, Ko Tong Hau, Wu Kai Sha and Three Fathoms Cove (see *Annex 2*);
 - Sai Kung area – Yeung Chau, Sor See Mun, Leung Shuen Wan and Ma Tau Wan (see *Annex 3*);
- (ii) extend the boundary of East Kiu Tsui Chau (K4) (see *Annex 4*) to cover the waters of Kai Lung Wan FCZ;
- (iii) extend the restricted period of Hebe Haven (K3) SRZ (see *Annex 5*) to all year round, i.e. no vessel shall proceed at a speed exceeding 5 knots in the SRZ between the hours of 8 a.m. and 12 midnight on any day throughout the year;
- (iv) extend the restricted period of the following SRZs from 1 July to 15 September (both dates inclusive) in any year to 1 April to 30 October (both dates inclusive) in any year to align with the normal opening dates and hours of gazetted public beaches managed by the LCSD:
 - (a) To Tei Wan (A1),
 - (b) Tai Tam Bay (A2),
 - (c) Stanley Bay (A3),
 - (d) Chung Hom Wan (A4),
 - (e) South Bay (A5),
 - (f) Deep Water Bay (A6),
 - (g) Luk Chau Wan (A7),
 - (h) Sham Wan (A8),
 - (i) Tung Wan (A9),
 - (j) Tai Tam Bay (A10),
 - (k) Repulse Bay (A11), and
 - (l) Discovery Bay (L1);
- (v) raise the penalty level from level 1 (HK\$2,000 at maximum) to level 3 (HK\$10,000 at maximum).

Advice Sought

9. Members are invited to comment and endorse the proposed amendments in paragraph 8 above so that the MD can proceed with the amendments to relevant legislation.

Port Control Division
Marine Department
November 2018

[Updated on 12 November 2018]

MARINE DEPARTMENT NOTICE NO. 110 OF 2018

(Statutory Requirement and Related Information)

Speed in Restricted Zones

The attention of owners, coxswains and masters of pleasure vessels and all other vessels are drawn to section 9(3) of the Merchant Shipping (Local Vessels) (General) Regulation (Cap 548F) and regulation 19(3) of the Shipping and Port Control Regulations (Cap 313A), which set out the speed limit for **ALL** vessels within restricted zones. The restricted zones are specified in the Eighteenth Schedule to the Shipping and Port Control Regulations and listed below. The speed limit is **5 knots** between 8 a.m. and 12 midnight on all days from 1 July to 15 September (both dates inclusive) every year or all other Saturdays or public holidays.

TOLO HARBOUR

- T1 Plover Cove
- T2 Sha Tin Hoi

PORT SHELTER AND ROCKY HARBOUR

- K1 Tai She Wan
- K2 Tsam Chuk Wan
- K3 Hebe Haven (Pak Sha Wan)
- K4 East Kiu Tsui Chau
- K5 West Kau Sai Chau
- K6 South Kau Sai Chau
- K7 Bluff Island
- K8 Clear Water Bay

HONG KONG ISLAND, SOUTH

- A1 To Tei Wan

A2	Tai Tam Harbour
A3	Stanley Bay
A4	Chung Hom Wan
A5	South Bay
A6	Deep Water Bay
A10	Tai Tam Bay
A11	Repulse Bay

LAMMA ISLAND

A7	Luk Chau Wan
A8	Sham Wan

CHEUNG CHAU

A9	Tung Wan
----	----------

LANTAU ISLAND

L1	Discovery Bay
----	---------------

2. The coxswains and masters of all vessels, particularly large or powerful vessels, are strongly advised to exercise due care and avoid generating excessive wake wash when navigating in the restricted zones, in areas near swimming beaches and fish culture zones, in particular near Kai Lung Wan Fish Culture Zone, giving due consideration to the safety of other people and vessels in the vicinity. In narrow channels such as Sor See Mun (Fu Tau Fan Chau) and Fat Tong Mun (Tung Lung Chau), the speed of all vessels should be reduced to a safe speed generally not exceeding 5 knots. Operators of speed boats and jet skis should exercise due care when navigating in narrow waterways, such as river channels and proceed at safe speed at all times.

3. Any person wishing to make a report concerning the apparent mishandling or excessive speed of a vessel may do so by calling the Harbour Patrol Section of the

Marine Department at telephone 2385 2791. The person making such a report may be requested to confirm the details in writing and may be required to appear in court as witness should the report subsequently result in a prosecution.

4. A drawing showing the restricted zones is attached to this Notice. Copies are available free of charge at any District Marine Office.

5. Marine Department Notice No. 85 of 2017 is hereby superseded.

Maisie CHENG
Director of Marine

Marine Department

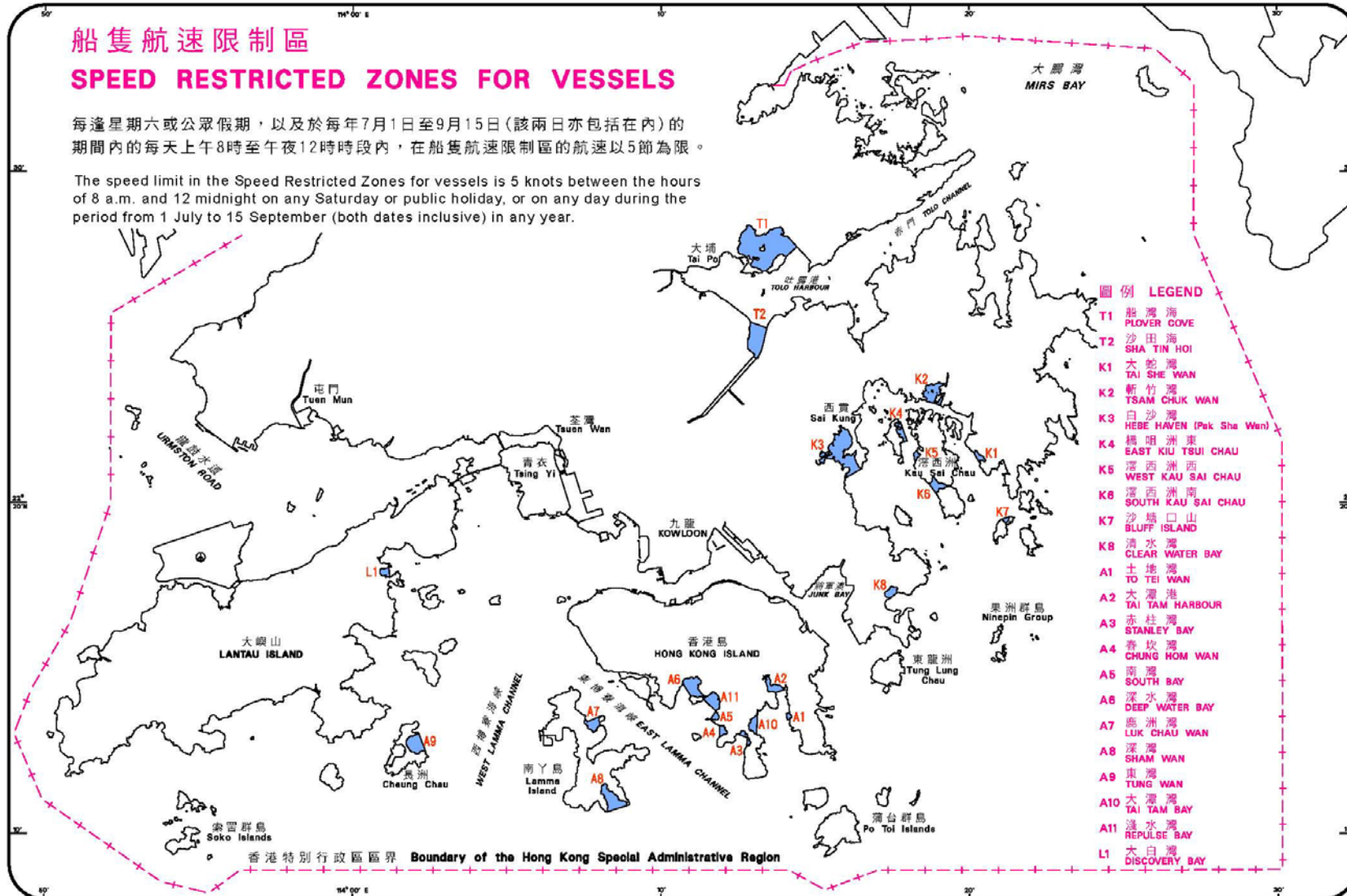
Government of the HKSAR

Date: 9 July 2018

Action file: L/M No. 241/18 in PA/S/HPS/936/13

海事處佈告 2018 年第 110 號附圖

Drawing Attached to Marine Department Notice No. 110 of 2018



Plans of Four Speed Restricted Zones for Vessels (Tai Po)
Proposed to be Added

Sam Mui Tsai



Ko Tong Hau



Wu Kai Sha

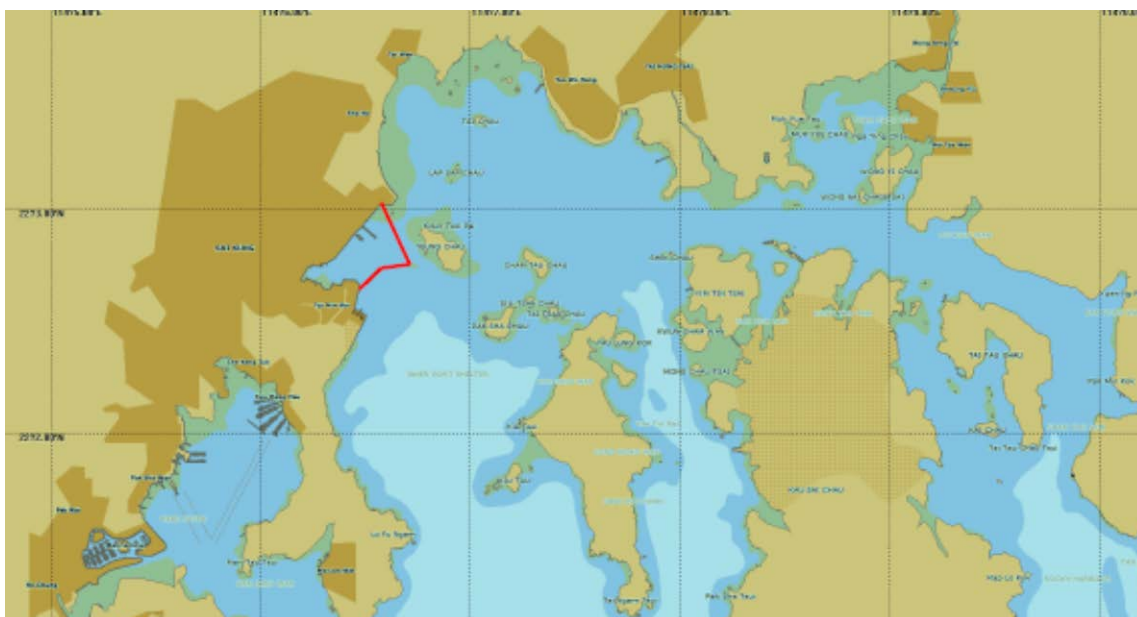


Three Fathoms Cove

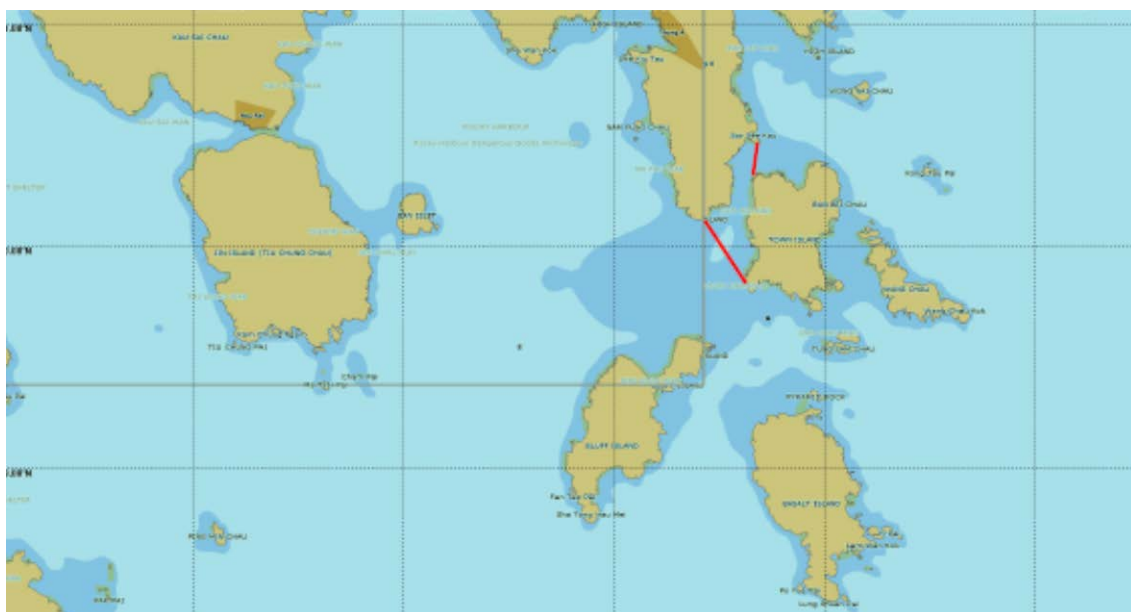


Plans of Four Speed Restricted Zones for Vessels (Sai Kung)
Proposed to be Added

Yeung Chau



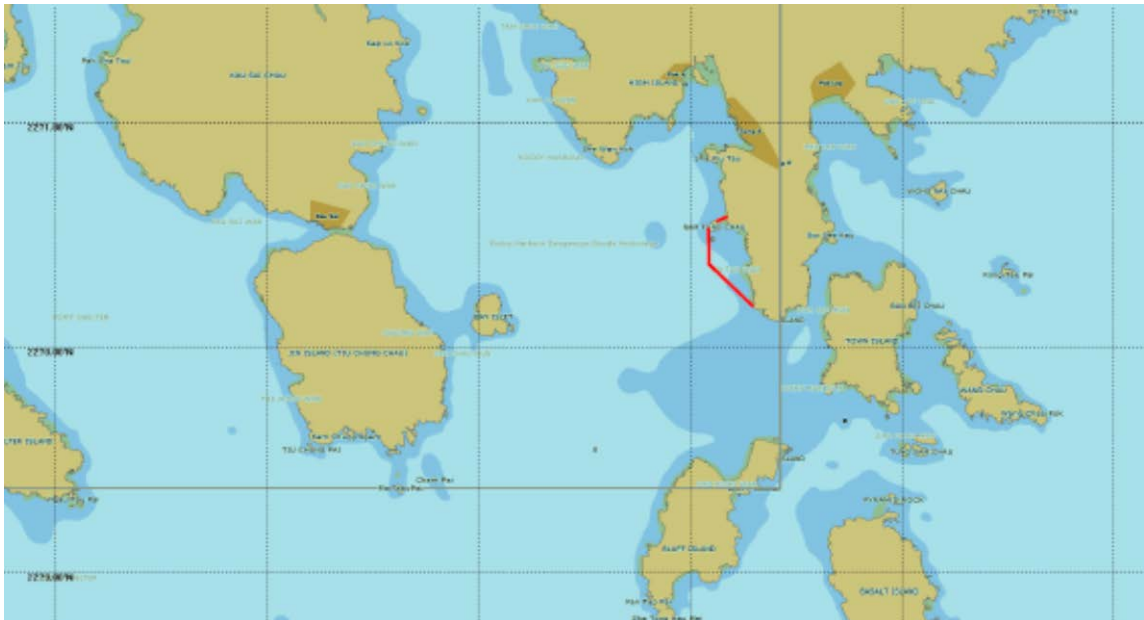
Sor See Mun



Leung Shuen Wan



Ma Tau Wan



Plan of the Speed Restricted Zone for Vessels (Sai Kung)
with Its Boundary Proposed to Be Extended

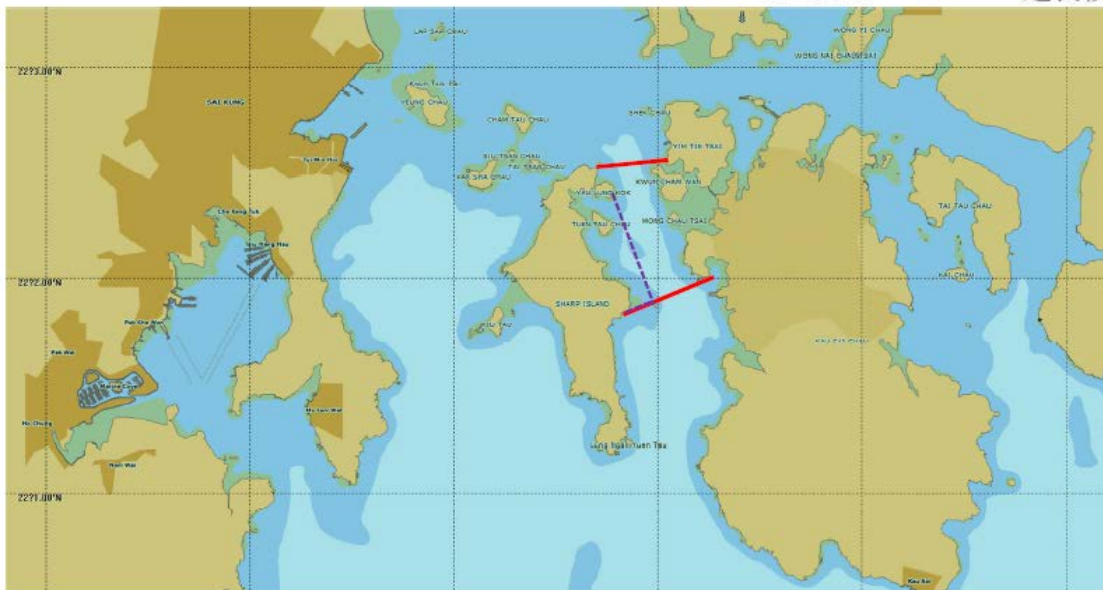
East Kiu Tsui Chau

Present boundary

Extended boundary

--- 現時界線

— 延長後界線



Plan of the Speed Restricted Zone for Vessels (Sai Kung)
with Its Restricted Period Proposed to be Extended to All Year Round

Hebe Haven

