

Local Vessel Advisory Committee
Sub-Committee on Safety for Works on Vessel
Minute of First Meeting

Date : 6th November 2007(Tuesday)

Time : 3:00 pm

Place Conference Room A, 24/F, Harbour Building, 38 Pier Road, Central.

Present

Chairman :	Mr. P C SO	GM/LVS,MD
Member :	Mr. WONG Yiu-kan	Representing cargo handling industry
	Mr. WONG Miu-sang	Representing cargo handling industry
	Mr. Bernard WONG	Representing cargo handling industry
	Mr. CHEUNG Chi-ying	Representing cargo handling industry
	Mr. LAI Wing-ming	Representing shipbuilding & ship-repairing industry
	Mr. TSANG Chiu-ming	Representing sea-transport & logistic industry
	Mr. FUNG Ka-kwan	Representing sea-transport & logistic industry
	Mr. Tony YEUNG	Maritime Services Training Institute
	Mr. Henry CHEUNG	Occupational Safety & Health Council
	Mr. KO Pui-yung	Labour Department
	Mr. CHOI Chi-pang	Civil Engineering and Development Department (Port Works Division)
	Mr. F CHAN	Senior Shipping Safety Officer, MD
Secretary:	Mr. T W LEE	Marine Industrial Safety Section, MD

Absent

	Mr. CHAN Ming-leung	Representing cargo handling industry
	Mr. CHOI Hung	Representing shipbuilding & ship-repairing industry

I Welcome and Introduction

1. The Chairman welcomed all to the first meeting of the Local Vessels Advisory Committee Sub-Committee on Safety for Works on Vessels (the Sub-Committee) and introduced the members attending the meeting.
2. The Chairman introduced that the Local Vessels Advisory Committee (LVAC) has been established pursuant to Section 4 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), and has also established 6 sub-committees subsequently. All information can be found in the website of Marine Department (MD).
3. The Chairman expressed that the Sub-Committee will follow in general the regulations of the relevant legislation but may alter if so required, and in reply to Mr. WONG Miu-sang regarding the term of membership he explained that the termination date of appointment of the Sub-Committee members should be the same as the LVAC. (Confirmed after the meeting with the minute of the 1st meeting of the LVAC that the appointment of LVAC members is effective from 8 December 2006 for a period of two years.)

II Discussion

Introduction of the function of the Sub-Committee

4. The Chairman expressed that according to Section 6(1) of the Merchant Shipping (Local Vessels) Ordinance (Cap 548), the LVAC may establish subcommittees and appoint the members thereof. The appointment of members have taken into considerations such as the achievement and status as well as his engagement in organizations representing the industry, so that upon any resignation of members, it will not be appropriate for their organization to sent direct replacement to fill their vacancies, but members are welcomed to make recommendation of suitable persons to the LVAC for consideration and formal approval.
5. The Chairman announced that the date of the Sub-Committee meetings have not been specified, but the interval between meetings should normally over 3 months, or to be convened in a need basis. Members may also reflect any opinion to the Sub-Committee by e-mail or fax at anytime. The starting and ending time of each meeting should also be specified on the agenda of the meeting in advance so that members could have better time management. The Chairman urged members to attend each meeting, and in case of absence members should inform in advance.
6. The Secretary reported the absence of two members Mr. CHAN Ming-leung and Mr. CHOI Hung; and pointed out that the return from Mr. CHEUNG Chi-ying had indicated different representing organization with the LVAC record. Mr. CHEUNG Chi-ying explained that he is representing the Lighter & Cargo-boat Transportation Workers Union as member in the Logistics and Transport Industry Safety and Health Committee of the Occupational & Safety Council (OSHC), and without the formal approval of the Committee to representing it, he could only attend the Sub-Committee with status as the Chairman of the Lighter & Cargo-boat Transportation Workers Union. The Chairman appreciated that Mr. CHEUNG Chi-ying is still representing the cargo handling industry, however such change have to be reported to the Secretary of the LVAC for endorsement in the next LVAC meeting.

Terms of Reference

7. The Chairman explained that the task of the Sub-Committee is to discuss issues related to the safety for works on vessels and to report findings for further discussions in the LVAC before advices are consolidated to the Director of Marine for consideration. (The terms of reference of the Sub-Committee endorsed at LVAC meeting are quoted as follow:-
Advising the Director of Marine on issues directed from LVAC, which are relating to –
(A) safety for works on local vessels and other visiting ships, including survey of lifting appliances and derrick cranes, shipboard container handling, provision of safe means of access, provision of first aid box, personal safety equipment and clothing, designation of competent persons; and
(B) the continual improvements on/updating of the relevant Codes of Practice.)

Declare of Interest of Members

8. The Chairman appreciated that members were being appointed because of their close relationship with the concerned industries, yet in the future when discussions related to their own business take place in the meeting, such as tendering issues, self interests or money advantages, members should declare their interests to the Chairman before the discussion start. Members may declare their interests verbally or by written declaration and choose to attend the meeting up to the time when the related issued being discussed, or he may declared to the Chairman for his status, and then the Chairman will decide on the level of his participation, such as the leaving or staying in the meeting, right for further discussion or voting on the related matter etc..

Briefing on “Hwa Cheong Hoi 3 Hao” Accident

9. The Chairman briefed all members on the accident occurred onboard the Chinese coaster “Hwa Cheong Hoi 3 Hao”, and pointed out that injuries resulted from similar mooring rope breakage accidents happened onboard occasionally, so that Marine Department Notice No. 114 of 2007 was issued accordingly to remind concerned parties to pay attention to mooring rope safety and to avoid standing close to mooring ropes. Members are requested to spread the message to concerned industries.

New arrangement on Investigation & Prosecution of Marine Industrial Accidents

10. Mr. F CHAN introduced that investigations and prosecutions actions on marine industrial accidents originally carried by the Marine Industrial Safety Section (MISS) have been split up in order to ensure the two works being carried out independently. Under the new arrangement, the investigations have been taken up by the Marine Accident Investigation Section (MAIS), while the prosecution actions remained with the MISS. The MAIS in maintaining its independency, will not provide all the collected evidence to MISS for their follow up in prosecution actions, so that both Sections have to send staffs onboard to investigate according to their own roles. It was hoped that the industry would tolerate the inconvenience introduced in return of having independent investigations that might not be affected by other factors.
11. Mr. F CHAN continued the introduction on the work of MISS, such as the regularly patrol over the Hong Kong waters, the organizing of safety seminars and promotions. He expressed that MD safety posters have been uploaded on the MD website, so that members can obtain particular posters from MISS by quoting the reference number of the

posters assigned as on the website. MISS is going to send regularly the complete set of posters or newly issued posters to individual companies by post for their display onboard their vessels. Members are requested to collect information of companies interested to receive the posters, in particular when Civil Engineering and Development Department (Port Works Division) holding safety meetings with contractors, and feed back to MISS by mail or fax. Members also suggested preparing standard requisition forms with sample printout on website and information of site address for members use when they collect information from the concerned industries.

Review on Safety Trainings for Works on Vessels

12. Mr. WONG Yiu-kan expressed that lighter workers were enormously affected since the implementation of the trade test requirement under the construction workers registration system last year. Although many workers were already holding certificates issued by the MST Institute, they are still required by their main contractors to have the said trade test when the lighters entered some marine construction sites, which affected both the workers and lighter owners. Members discussed on issues related to the equipment, test standards and instructors for the trade test. The Chairman suggested members continue to clarify with contractors on their requirements on test standards for the trade test and to find out more on the workers registration issues, so that the actual problem could be identified for further discussion and follow up action.
13. The Chairman discussed with Mr. Tony YEUNG of the MST Institute on problems in providing the training courses for the supervisors. At present supervisors are not required to renew their training certificates once they obtained it. Unlike the basic safety training for shipboard cargo handling which required the attendance of refresher course before the renewal of their training certificates, when old guys retire and there is only a few replenishment, then the applicants for the supervisor course would decrease gradually below the level for the Institute to offer a course with a fix day resulting difficulty for the new comers to obtain the certificate. Members discussed the need of having refresher course to enhance staff with update technologies/new legislations and to refresh their knowledge, and considered different ways to ease the problem on having insufficient number of supervisors for the training course. The Chairman requested member to consider and collect feedback from the industry for discussion in next meeting.

III Any Other Business

14. The Secretary briefed members on the newly gazette notice regarding ship repair work permit. According to the legislation, written permissions from the Director of Marine is required before ship-repairing works are carried out onboard all vessels over 50 m length in the Hong Kong waters. Considering works with less hazards and quantities, for example the works specified on the gazette notice which involved no dangerous goods, hot works or confined space works, and when number of items are less than five, written permission will no longer be required. The Chairman expressed that such arrangement would be convenient to the industry by elimination of delay of the commencement of less hazardous works in waiting for the issue of work permits.
15. Mr. CHEUNG Ming-sin of OSHC supplemented the previously discussed issue on safety posters and introduced the “OSH Bookshelf” available on their website, which is a multimedia production of OSHC with over 10 government departments including MD. He pointed out that some of the publications had already been produced long ago and wondered if they could still be available in MISS.

16. Mr. WONG Mui-sang brought up that some members of his association had found during the licensing survey of their lighters, some dangerous goods categories that are previously permitted to carry were no longer permitted under the new legislation, which affected their tendering for business. The Chairman pointed out that the issue on the carry of dangerous goods onboard was not under the scope of this Sub-Committee and requested Mr. WONG to forward information of specific cases to MD for follow up action.
17. Mr. FUNG Ka-kwan point out that most of the foreman onboard would have less work to do after the Lunar New Year, so that he would like to negotiate with the MST Institute to see if training course could be provided at about 10 days after the Lunar New Year. Mr. Tony YEUNG of the MST Institute replied that instructors are available throughout the year except the 4 Lunar New Year holidays and training course can always be provided when there is sufficient number of applicants. The Chairman requested members to closely liaise with the Institute in arranging for the courses.
18. Mr. LAI Wing-ming reflected the problem on the access of ship-repair workers to ocean going vessels at anchorage with lighters berthing alongside. The mooring ropes of the lighters interfered the operation of the gangways of the vessels so that ship-repair workers could not access safely from their launches to the vessels for works. Members discussed on the safe access to vessels and the concerned requirements under the legislations. MD expressed that there is no provision in legislation specify for the shifting of stevedoring vessels to give way for others, so that employers of ship-repair workers are responsible to communicate and inform the vessels to arrange for suitable safe means of access or otherwise they may not get the service from the workers. The Chairman requested members to consider practical solutions for the issue and discuss in next meeting.
19. The Chairman informed members the progress on the implementation of the new legislation before the close of the meeting, particularly for the mid-stream operation workers. Workers will follow directions given to them when they were found not wearing the safety helmets, and prosecution actions thus not being taken at present. But in view of the implementation of new legislation have been effective for some time, MISS will step up the control and start prosecution actions in the coming December. Members are requested to remind the industry to comply with the legislation.

IV Date of Next Meeting

20. The meeting closed at 5:00 pm. The Chairman suggested next meeting to be held after three months and the exact date to be announced in due course.