

## PILOTAGE ADVISORY COMMITTEE

Ref. : HQ/COM 928/29 (20)

### Minutes of the Pilotage Advisory Committee Meeting

Date : 15 June 2010 (Tuesday)  
Place : Conference Room A, 24/F, Harbour Building  
Time : 10:30 a.m.

#### Present

Chairman: Mr. Francis LIU	Deputy Director of Marine
Member: Capt. CHAN Lok-ching	Representing HK Shipowners Association
Mr. Peter YIM	Representing HK Liner Shipping Association
Mr. Edward CHIU	Representing Dry Bulk Cargo Operators
Mr. TO Wing-sing	Representing Break Bulk Cargo Operators
Mr. CHENG Siu-lun	Representing Oil Terminal Operators
Mr. NG Ming-fai	Representing Dockyard Industry
Mr. Phileas FONG	Representing Tug Operators
Mr. NG Kin-man	Master Mariner
Capt. CHEN Yu-chi	Representing HK Pilots Association (HKPA)
Mr. SIU Wai-lim	Representing HK Pilots Association
Mr. LEE Yuk-kwong	AD/PC, Marine Department
Mr. Raymond CHUNG	GM/VTS, Marine Department
Mr. CHAN Tim	S(N)Exam, Marine Department
Secretary: Mr. John LEUNG	EO(C&G), Marine Department

#### In Attendance

Ms. Yvette CHAN	HK Pilots Association
Capt. WU Ka-shun	Tug Operators
Mr. LEUNG Man-chiu	SS/CRT, Marine Department
Mr. LAI Chi-tung	SMO/VTC, Marine Department
Mr. Andrew NG	MO/Pilotage, Marine Department

#### Absent with Apologies

Mr. LAM Wing-shing	Master Mariner
Capt. David WATKINS	Master Mariner
Ms. Gloria CHOY	Representing Container Terminal Operators

## **OPENING REMARKS**

1. The Chairman welcomed all present.

## **AGENDA ITEMS**

### **I. Confirmation of Minutes of Last Meeting**

2. HKPA had proposed some amendments to paragraph 23 of the minutes of the last meeting held on 4.2.2010. In response to HKPA's proposed amendments, Mr. LAI Chi-tung clarified that there had always been only one dedicated MD patrol boat for Ma Wan since the establishment of the Ma Wan Control Station, and that none of the 5 signal lights at the Ma Wan service Area had been obsolete and all of them were still working efficiently. Mr. LAI's clarification had been included in a post-meeting note in paragraph 23 of the revised minutes of last meeting, which was tabled for members' comments. Mr. SIU Wai-lim asked how the signal lights were used to control traffic. Mr. LAI said that the lights would be switched on when there were large vessels passing through. However as it had been found that large vessels were passing through continuously, the signal lights were kept constantly on. Mr. SIU opined that this arrangement might not be the most effective way to control traffic. The Chairman said that HKPA should discuss the operation of the signal lights with MD's Vessel Traffic Centre (VTC) directly. The minutes of the last meeting were confirmed without further amendments.

### **II. Interview of Apprentice Pilots**

3. There were two applicants, Mr. CHUNG Wing-chung Grover and Mr. KIU Chun-ming. Both applicants had already passed the necessary medical examinations. They were interviewed by members in separate sessions.

Mr. NG Kin-man declared that he was a colleague with Mr. KIU when Mr. KIU was a deck trainee, but he had not had any contacts with Mr. KIU in the past few years. Members were satisfied with the two candidates' qualifications and experience, and agreed to recommend them to the Pilotage Authority for registration as apprentice pilots.

*[Post-meeting notes: With the approval from the Pilotage Authority, Mr. CHUNG and Mr. KIU registered as apprentice pilots on 15.6.2010.]*

### **III. Matters Arising from Previous Minutes of Meeting**

#### ***PAC Paper No. 2/2010 – “Acceptance of Licence (Deck Officer) Class I for the Registration of Apprentice Pilots”***

4. Capt. CHEN Yu-chi said that HKPA had implemented two measures which might have relieved the urgency to consider whether a Certificate of Competency (CoC) issued by the authority in the Mainland China was acceptable for the registration as apprentice pilot. Firstly, the internally imposed maximum age of entry of 45 had been lifted. Secondly, HKPA were proposing to retain the same class of licence for a pilot wishing to continue to work beyond the age of 65. The proposal was detailed in PAC Paper No. 7/2010. Capt. CHEN said that he was optimistic about the recruitment of qualified masters to join the pilot profession in the next few years.
  
5. Mr. LEUNG Man-chiu said that the amount of information relating to the examination procedures and syllabuses in the Mainland China was very extensive, and more time would be needed to study all the information in detail. He opined that the success of the Sea-going Incentive Training Scheme and the increased number of students registered with the Maritime Services Training Institute and other higher education institutes would mean that no difficulties in recruiting apprentice pilots were expected in the near future. Mr. LEE

Yuk-kwong said that the study on the CoC issued by the authority in the Mainland China should be continued as it would be useful in case there were any difficulties in recruiting apprentice pilots in the future. He also said that the study should compare the training requirements, sea-time and examinations in the Mainland China with those in Hong Kong.

6. Mr. NG Kin-man suggested that the matter might be considered by the Administration instead of being discussed at PAC. The Chairman said that there was established mechanism in assessing other aspects of the CoC issued by other countries, and PAC should consider the matter from the pilotage aspect. Mr. Raymond CHUNG opined that there was a need to get to the conclusion on whether a Mainland China's CoC holder would be acceptable for the registration as an apprentice pilot as MD might be enquired on this by the person concerned. The Chairman concluded that the study should be continued and legal advice should be sought if necessary before the matter was further discussed at PAC.

#### ***Government Mooring Buoy (GMB) Mooring Arrangement***

7. Mr. Andrew NG reported that MD's Marine Industrial Safety Section (MISS) had made a video on buoy mooring operation on 12.3.2010. HKPA opined that the video was filmed under relatively calm weather which did not reflect the normal working condition. At a meeting with representatives from HKPA, VTC, Mooring Unit (MU) and MISS on 19.5.2010, MU stated that the mooring operation in Hong Kong was quite unique and no advanced mooring components or design suitable for Hong Kong's operation had been found so far. HKPA undertook to arrange another on-site observation under more realistic condition so that relevant parties might further study the operation. Members had no further comments on this issue.

#### ***PAC Paper No. 4/2010 – “Berthing Guidelines Amendment Procedures & Suspension of Ma Wan Night Transit for Bulklers and Tankers”***

8. Mr. Andrew NG reported that a PAC Working Group (WG) meeting was held on 20.5.2010 to discuss the resumption of Ma Wan night transit for bulkers and tankers with LOA from 198m to 230m. At the PAC WG meeting, it was agreed that the said service would be resumed with additional escort tug service between Ha Pang and UR2 buoy for bulkers and tankers of draft over 9m and LOA from 198m to 230m. In addition, HKPA had proposed to specify the escort tug service area for Ma Wan transit as between Kellett buoy and Ha Pang in the Berthing Guidelines (BGL). Capt. CHEN Yu-chi said that this would give a clear definition of tug service for Ma Wan transit and it should apply to passenger and container ships as well as bulkers and tankers.
  
9. Mr. Phileas FONG said that the tug operators supported the proposed additional escort tug service from safety's point of view and a clearer definition of tug service for Ma Wan transit. He pointed out that the proposed additional escort tug service would unavoidably increase the distance and time required of the tug. Capt. CHAN Lok-ching asked how the additional costs would be determined. Mr. Raymond CHUNG said that it had been discussed at the last PAC WG meeting that individual tug operators would agree on the costs of the escort services with their customers.
  
10. Capt. CHEN Yu-chi confirmed that the additional escort tug service between Ha Pang and UR2 was required for night transit only, and that the arrangement was temporary until there was a clear definition for the waterways from west of Ma Wan to Urmston Road. He said that HKPA had agreed with the main user, China Merchants, who had 3 to 4 bulkers transiting from Ma Wan to Shekou monthly, the proposed arrangement. In response to Capt. WU Ka-shun, Capt. CHEN confirmed that the definition of Ma Wan transit, i.e. between Kellett buoy and Ha Pang, should apply to all vessels. In response to the Chairman, Capt. CHEN said that the Ma Wan night transit for bulkers and tankers could be resumed immediately if the proposal was endorsed by the meeting.
  
11. Mr. Andrew NG asked how users would be informed of the requirement of

additional escort tug service and the definition of tug service for Ma Wan transit. Capt. CHEN Yu-chi said that HKPA would inform China Merchants directly. Mr. TO Wing-sing suggested that HKPA might inform all shipping agents so that they could convey the information to their users when bookings of pilotage service were made. In response to Mr. Phileas FONG's query, Capt. CHEN said that to be consistent with bulkers and tankers, the definition of Ma Wan transit applicable to other types of ships would also take effect immediately. Upon Mr. Andrew NG's request, Capt. CHEN undertook to check from their records and inform all the agents who had made bookings with HKPA before. Upon Capt. WU Ka-shun's request, Capt. CHEN undertook to remind users of the definition of tug service for Ma Wan transit when service orders were received.

12. Mr. Peter YIM said that to avoid misunderstandings or arguments, sufficient time should be allowed for promulgating the definition of tug service for Ma Wan transit in the BGL to users. After detailed discussion on the timing of updating the BGL on MD's website, the meeting agreed that the additional requirement of escort tug service for Ma Wan night transit for bulkers and tankers would be updated immediately after the meeting; while the amendment to the definition of tug service for Ma Wan transit for container and passenger ships would be scheduled to 0001 hours on 23.6.2010.

#### **IV. New Discussion Items**

##### ***PAC Paper No. 5/2010 – “Proposed Amendments to the Berthing Guidelines”***

13. Mr. Andrew NG presented the paper to members in detail. He said that for urgent amendments to the BGL, MD could prepare the relevant paper promptly and circulate it to members for comments by e-mail instead of convening a meeting. Capt. CHEN Yu-chi opined that Chapter 2 in the BGL had been amended from time to time usually as a result of some incidents incurred, and therefore paragraph 8 should not be deleted lightly. He recalled that during a

previous typhoon, an MD's staff had asked for a 6 hours' notice before suspension, which was much longer than the usual 3 hours. He suggested that one of the circumstances that paragraph 8 in Chapter 2 was in place was to cater for the approach of a typhoon. The timing of suspension of pilotage services during a typhoon was critical, and the decision had to be made quickly. Therefore, a notice after seeking approval from PAC and a few hours before suspension would not be practical.

14. Mr. Andrew NG opined that paragraphs 1, 2, 7 and 9 in Chapter 2 provided enough flexibility to handle circumstances during typhoons. Mr. LAI Chi-tung said that Chapter 9 of the BGL had already provided guidelines for pilotage suspension during typhoons, and paragraph 8 in Chapter 2 did not seem to be necessary. Besides, the paragraph would cause confusion to users. In response to the request for 6 hours' notice by an MD's staff, he said that it was an agreement made between MD and HKPA last year. A 6-hour advance notice for pilotage suspension should be given by HKPA if possible in order to facilitate the evacuation of ships from Shekou. The Chairman said that the 6 hours' notice was a guideline, and it was understandable that this would be difficult to follow under some special circumstances.
15. Mr. SIU Wai-lim opined that there was a need to keep paragraph 8 in Chapter 2 to provide flexibility. He appealed to members for their consideration and understanding of the pressure that the pilots were facing under special circumstances. He quoted a situation during a typhoon in September last year where the last pilot did not finish his service until more than 3-and-a-half hours after the Typhoon Signal No. 8 had been hoisted. Capt. CHAN Lok-ching opined that the wording in paragraph 7 in Chapter 2 could be amended to suit the requirements in practice, and paragraph 9 in Chapter 2 was already providing enough flexibility. Paragraph 8 in Chapter 2 should therefore be deleted. Mr. Raymond CHUNG said that the wording in paragraphs 7 and 9 in Chapter 2 could be improved, while paragraph 8 was too general to be kept. He suggested that other special circumstances if found necessary could be included in

Chapter 2 in future.

16. Mr. Edward CHIU echoed that paragraph 8 in Chapter 2 was too general, and suggested that a phrase ‘including temporary requirements to handle emergencies or special circumstances’ might be added to the end of paragraph 9 in Chapter 2. After lengthy discussions, the meeting agreed that the issue would be discussed by interested parties after the meeting.

***PAC Paper No. 6/2010 – “Additional Requirement Imposed by the Pilots”***

17. Mr. Andrew NG presented the paper and reported the findings of the Ombudsman to members in detail. Mr. LEE Yuk-kwong said that in addition to the conclusions and recommendations listed in paragraph 4 of the paper, the Ombudsman also said that currently the legislation provided a very narrow and confined definition on a misconduct of pilots. The Ombudsman suggested that MD should consider the need for legislative amendment.

***PAC Paper No. 7/2010 – “Retaining the Same Class of Licence for Pilots to Work beyond the Age of 65 Years”***

18. Mr. Andrew NG presented the paper to members in detail. He said that the retirement age, condition on extension of service and whether downgrading was required beyond normal retirement age in the neighbouring ports were listed in Annex II to the paper for members’ reference. There was no downgrading beyond normal retirement age in most neighbouring ports. Mr. LEE Yuk-kwong said that he supported the proposal and agreed that a pilot’s experience and expertise would be wasted if his class of licence was downgraded to the lowest class beyond the age of 65.
19. Capt. CHEN Yu-chi said that in the last 10 years, over half of licensed pilots had retired before normal retirement age of 65; over one-third had retired at normal retirement age; while only 8% had applied for extension and retired at 68.



Capt. CHEN pointed out that the main purpose of the proposal was trying to spread the retirement age more evenly so that not all pilots retired at 65. Mr. Andrew NG briefed members that the mandatory retirement age of 65 was legislated in 1993. Before the legislation, there was no limit on pilot retirement age and 6 pilots having retired between 1984 and 1987 at the age of 68.4 to 71.0 years. All had retired at Class I without downgrading. Mr. NG Kin-man asked why downgrading had been implemented in the first place. Mr. Andrew NG replied that at first, HKPA did not accept the proposed mandatory retirement age of 65 as some pilots were already over 65 at that time. HKPA had eventually accepted the mandatory retirement age to be set at 65 extensible to 68 provided that the pilot would be downgraded to Class IID (Class IIC before Class IID became the lowest class). So the downgrading requirement was a compromise rather than a health or ability consideration.

20. Capt. CHAN Lok-ching said that he also supported the proposal provided that the pilot had passed the required medical examinations, and agreed that a pilot's experience and expertise would be wasted if being downgraded. Capt. WU Ka-shun echoed his support to the proposal. The Chairman concluded that the paper was endorsed unanimously.
  
21. Mr. Raymond CHUNG said that MD would proceed with the amendment to the legislation as soon as possible, and the proposal would come into force after the legislation had been amended. Capt. CHEN Yu-chi said that a couple of pilots would reach the age of 65 in mid to late 2011, and asked if the legislation would have been amended before they retired. Mr. Raymond CHUNG said that the proposed amendment would be submitted to the Legislative Council by the end of this year, i.e. in the second half of the 2010 – 2011 legislative session, and it could be expected to become effective before mid 2011.

## V. Any Other Business

22. Capt. CHEN Yu-chi said that some ocean-going tugs at North of Lantau would

deploy pilotage services if they were not familiar with the waterways, and that MD had appealed to these tugs to transit South of Lantau instead. However, from HKPA's observations, MD's appeal had not been very effective, and dangerous situations had incurred in the past. Capt. CHEN enquired if MD could ask these tugs to submit a passage plan or recommend them to deploy pilotage services until they had familiarized themselves with the waterways. Mr. Raymond CHUNG said that MD would gather more information and follow up the matter.

## **VI. Date of Next Meeting**

23. The meeting ended at 12:45 p.m. The date of the next meeting would be announced in due course.