

***Charging for Services in relation to  
Exemption from Compulsory Pilotage***

**Purpose**

The purpose of this paper is to seek members' views and comments on the proposal to include a provision in the Pilotage Ordinance (Chapter 84) to charge fees in respect of applications for exemption from compulsory pilotage.

**Background**

2. Under section 10(D)(2) and (3) of the Pilotage Ordinance (Chapter 84), the Pilotage Authority may exempt certain types of ships, or under certain situations, may exempt a specific ship from compulsory pilotage.

3. It has been the practice for the Pilotage Authority to charge applicants for services related to the exemption in accordance with regulation 6, 7 and 8 of the Merchant Shipping (Fees) Regulations (Chapter 281). The charges are basically to recover the administration costs of services provided by the Government. It will be tidier and more logical if a provision is to be included in the Pilotage Ordinance (Chapter 84) for the Pilotage Authority to charge such fees.

**Proposal**

4. It is proposed to include an additional provision in the Pilotage Ordinance (Chapter 84) for the Pilotage Authority to charge fees in respect of services provided to applications for exemption from compulsory pilotage.

**Consequential Amendment**

5. It is necessary to amend Section 114(c) of the Merchant Shipping Ordinance (Chapter 281) to extend the general powers of the Ordinance to include the Pilotage Ordinance (Chapter 84).

**Recommendation**

6. Members are invited to endorse the proposals to include an additional provision to the Pilotage Ordinance (Cap. 84) to empower the Pilotage Authority to charge fees in relation to exemptions, and to make a consequential amendment to the Merchant Shipping Ordinance (Cap. 281).

*(Relevant Ordinances extracted at the following for members' ease of reference)*

**Chapter 84 - Pilotage Ordinance**  
PART IIIA - COMPULSORY PILOTAGE

**10D. Exemption from compulsory pilotage**

(2) The following ships, whether individually or as a class, may be exempted from compulsory pilotage by the Authority on application in writing to him-

- (a) vessels and dynamically supported craft engaged on ferry services for the conveyance of passengers (whether or not goods are also conveyed) between Hong Kong, Macau and Chinese ports within river trade limits; and
- (b) ships engaged in salvage or cable laying operations.

(3) The Authority may exempt a ship from compulsory pilotage if he is satisfied-

- (a) that no licensed pilot is available to pilot the ship; or
- (b) that compliance with the requirement of compulsory pilotage is unnecessary in the circumstances of the case.

**Chapter 281 - Merchant Shipping Ordinance**

**114. Regulations. General powers**

(1) In addition to the powers hereinbefore given the Governor in Council may by regulation control, prescribe or provide for-

- (c) fees to be paid in respect of the grant of certificates, clearances, licences, permits and other documents, or the performance of services or surveys or grant of facilities under this Ordinance or the Merchant Shipping (Safety) Ordinance (Cap. 369);