

PILOTAGE ADVISORY COMMITTEE WORKING GROUP

Proposed Amendment to the Pilotage (Dues) Order, Cap. 84D (Part 2 of the Schedule – Additional Pilotage Dues)

Purpose

The purpose of this paper is to seek members' advice and endorsement on the proposed amendments to Part 2 of the Schedule to the Pilotage (Dues) Order, Cap. 84D (the "Order").

Background

2. The Pilotage Ordinance, Cap. 84, was established in October 1972 together with its subsidiary legislations, amongst others the Order specifies pilotage dues for pilotage services performed. Ever since its establishment, the Order has been amended whenever necessary, to cope with the development of the Hong Kong marine industry and, to offer reasonable remuneration to the Hong Kong pilots providing pilotage services.

3. In December 1984, the Order was amended to introduce a simplified structure for pilotage dues, inclusive of "standard pilotage dues" and certain "additional pilotage dues". Of which an additional pilotage dues in half hourly rate was included as Paragraph 4 in Part II of the Schedule, "where a pilot is required to proceed outwards beyond the pilot boarding area for the engine trials, direction finder calibrations and compass adjustment, from the time the ship passes the pilot boarding area outwards until the ship passes the pilot boarding area inwards".

4. Then, in January 1997, the Order was amended to make an additional pilotage due payable for any pilotage service performed beyond a pilot boarding area. Amongst others, specific criteria for charging the additional pilotage dues in Paragraph 4 in Part II of the Schedule, i.e. "for the purpose of engine trials, direction finder calibrations and compass adjustment" was removed, so that it becomes more

flexible to cater for any pilotage service provided beyond pilot boarding area.

5. At present, Part 1 of the Schedule to the Order specifies the standard pilotage dues for pilotage of ships into and out of the Harbour, which includes all costs incurred by a pilot in travelling to and from a ship. Part 2 specifies a number of additional pilotage dues for the various specific pilotage services, such as movement of dead ships, oil rigs, or when Tropical Cyclone Warning Signal No. 3 is issued. It also specifies additional pilotage dues payable for any pilotage service performed beyond a pilot boarding station (PBS) irrespective of the nature of the service involved, and etc.

6. Recent review on Paragraph 4 in Part 2 of the Schedule has revealed that it does not sufficiently cover certain modes of pilotage services provided nowadays, for examples:

- a) Pilotage Service which require the pilot to go outward beyond a PBS for boarding a ship to commence pilotage service and then complete the pilotage service in the waters outward beyond the PBS, such as piloting a ship from the boundary of HKSAR towards South Lamma Anchorage to anchor;
- b) Pilotage Service which require the pilot to go outward beyond a PBS for boarding a ship to commence pilotage for inbound to the harbor passes a PBS inward, such as piloting a ship from the South Lamma Anchorage inbound towards the Harbour; and
- c) Pilotage Service which require the pilot to board a ship in the harbor and to complete the pilotage service in the waters outward beyond a PBS, such as piloting a ship from the Harbour outbound towards the South Lamma Anchorage.

Proposed Amendments

7. Following the charging principle of the Order, additional pilotage dues should be payable either under a pilot-oriented fee model such as where a pilot is detained or if the engagement of a pilot is cancelled, or under a ship-oriented fee model such as in the movement of dead ship or oil rigs, etc.

8. To provide for reasonable additional dues for the pilotage services described in paragraph 6 above, also for pilotage services beyond those pilot boarding stations described in the Order, it is proposed to amend existing Paragraph 4 in Part 2 of the Schedule to the Order, as follows:

“4. An additional pilotage due of \$1,482 per half an hour or part thereof shall be payable for any pilotage service performed, where a pilot is required to proceed outwards beyond a pilot boarding station, from the time the pilot passes a pilot boarding station outwards until the pilot passes a pilot boarding station inwards.”

9. The Hong Kong Pilots Association is now in the process of liaising with the concerned stakeholders, in order to come up with certain extent of consensus/shared understandings. Its outcome will be reported in the Working Group meeting.

Presentation

10. The Hong Kong Pilots Association will present this paper and illustrate the proposed changes for members’ comments.

Advice Sought

11. Members’ comments and advices are sought for the proposed amendment in paragraph 5 of this paper.

Hong Kong Pilots Association
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