

PROVISIONAL LOCAL VESSELS ADVISORY COMMITTEE

Compulsory Pilotage Exemption for Vessels of 1000 Gross Tonnage or over Proceeding to or from Container Terminals

Purpose

The purpose of this paper is to seek members' endorsement on relaxing the compulsory pilotage requirement for vessels between 1000 and 3000 Gross Tonnage (GT) proceeding to or from any container terminal.

Background

2. In accordance with paragraphs 1 and 2 of Schedule 1 to the Pilotage Ordinance Cap. 84 (see Annex I), compulsory pilotage is applicable to a ship of 3000 GT or over, and a ship of 1000 GT or over proceeding to or from any container terminal specified in the Third Schedule to the Dangerous Goods (Shipping) Regulations (Cap. 295C) (see Annex II).

3. Since the introduction of the above Ordinance in 1984, the GT of vessels, especially river trade vessels (RTV) has increased significantly over the years. Having reviewed the port's environment, the RTV mode of operation and the masters' local experience etc., the Pilotage Advisory Committee supported the granting of pilotage exemption to RTV proceeding to or from Kwai Chung Container Terminals (KCCT) at the meeting on 11 April 2002. The exemption scheme was implemented on 1 September 2002 to vessels which met the following conditions:

- (a) The exemption is to be given to the master of the vessel which should be either less than 80 metres LOA, or less than 2000 GT, whichever is the less and not carrying dangerous cargoes in bulk.
- (b) The master should have completed a minimum of 26 similar calls to Hong Kong per year and pass the practical assessment by Marine Department.

- (c) The exemption is valid for one year. Re-validation is subject to the master meeting the required number of calls during the year immediately before the re-validation.

4. The River Trade Terminal (RTT), which started operating in 1998 is not included in the Third Schedule to Cap. 295C. As such, paragraph 2 of Schedule 1 to the Pilotage Ordinance does not apply to the RTT. Vessels under 3000 GT going to or from the terminal are not subject to compulsory pilotage. So far no adverse impact on the safety of navigation to or from the terminal has been observed.

Present Situation

5. In the proposed amendments to Cap. 295 sub. leg., the Third Schedule will be updated and the RTT will be included in the schedule for the purpose of dangerous goods control (see Annex III). The inclusion of RTT in the Third Schedule will change the current situation. Paragraph 2 of Schedule 1 to the Pilotage Ordinance will then be applicable to the RTT, and therefore vessels of 1000 GT or over proceeding to or from the RTT will be subject to compulsory pilotage.

6. In the past twelve months, vessels between 1000 to 3000 GT that called at KCCT and RTT are shown below:-

| | 1000 GT – 1999 GT | 2000 GT – 2999 GT |
|-------------|--------------------------|--------------------------|
| | No. of Vessels | No. of Vessels |
| KCCT | 98 | 3 |
| RTT | 57 | 5 |

7. As of today, the Pilotage Authority has issued 72 valid pilotage exemptions to RTV going to or from KCCT. All these vessels are required to participate in the Vessel Traffic Services and their movements are monitored by the Vessel Traffic Centre and the Kwai Chung Marine Traffic Control Station. The present control on the RTV is considered satisfactory.

Proposal

8. It is proposed to remove the requirement for compulsory pilotage for vessels between 1000 and 3000 GT going to or from any container terminal.

Implications

9. According to the figures in paragraph 6, if compulsory pilotage for vessels between 1000 and 3000 GT going to or from KCCT is removed, a total of 101 vessels will be excluded from the pilotage requirement. However, it should be noted that among these 101 vessels, 98 are presently eligible to apply for pilotage exemption as mentioned in paragraph 3. Therefore, only three vessels between 2000 and 3000 GT will actually be excluded.

10. As for the RTT, a total of 62 vessels between 1000 GT and 3000 GT will be excluded. Again, it should be noted that these vessels are in fact not subject to compulsory pilotage at present (see paragraph 4 above).

Consultation

11. The proposal in paragraph 8 has been circulated among the members of Pilotage Advisory Committee and the members in the majority endorsed the proposal.

Recommendation

12. Members are recommended to endorse the proposal in paragraph 8 above. Upon members' endorsement, Marine Department will follow up to amend paragraph 2 of Schedule 1 to the Pilotage Ordinance Cap. 84 accordingly.

Port Control Division

Marine Department

November 2006

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|-----------|----|----------|---|--------------------|------------|
| Chapter: | 84 | Title: | PILOTAGE ORDINANCE | Gazette Number: | 10 of 2005 |
| Schedule: | 1 | Heading: | SHIPS SUBJECT TO COMPULSORY PILOTAGE | Version Date: | 08/07/2005 |

[sections 10C & 10D]

1. A ship of 3000 gross registered tonnage or over. (Amended L.N. 163 of 1987; L.N. 160 of 1995)
2. A ship of 1000 gross registered tonnage or over proceeding to or from any wharf specified in Part I of the First Schedule, and any container terminal specified in the Third Schedule, to the Dangerous Goods (Shipping) Regulations (Cap 295 sub. leg. C).
3. A ship of 1000 gross registered tonnage or over carrying dangerous goods specified in Categories 1, 2 and 5 in the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap 295 sub. leg. A). (Amended 10 of 2005 s. 208)
4. A ship of 1000 gross registered tonnage or over proceeding to or from a Government mooring buoy.
5. A ship of 300 gross registered tonnage or over which-
 - (a) is, for any reason, unable to proceed under its own power, manoeuvre with its own steering gear, or work with its own anchors;
 - (b) has any part of the hull structure removed, or under repair, which may affect the water-tight integrity of the ship; or
 - (c) is at risk of causing injury to persons or damage to property, any other ship or the environment by virtue of the condition of the ship or the nature or condition of its cargo.
6. A gas carrier as defined in regulation 2 of the Merchant Shipping (Safety) (Gas Carriers) Regulations (Cap 369 sub. leg. Z). (Added L.N. 160 of 1995)
(Schedule 1 added 29 of 1985 s. 7. Amended L.N. 163 of 1987; L.N. 160 of 1995)

Annex II

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|-----------|------|----------|--|--------------------|------------|
| Chapter: | 295C | Title: | DANGEROUS GOODS (SHIPPING) REGULATIONS | Gazette Number: | |
| Schedule: | 3 | Heading: | APPROVED CONTAINER TERMINALS | Version Date: | 30/06/1997 |

[regulation 2]

1. The Container Terminal at Tsim Sha Tsui belonging to Wharf (Holdings) Limited.
2. (Repealed L.N. 80 of 1992)
3. The Container Terminals at Kwai Chung belonging to Modern Terminals Ltd.
4. The Container Terminal at Kwai Chung belonging to Hong Kong International Terminals Ltd. or its subsidiaries.
5. The Container Terminal at Kwai Chung belonging to Sea-Land Orient Limited.
(L.N. 190 of 1990)

Proposed Amendments to Dangerous Goods (Shipping) Regulations
(Cap. 295 sub. leg.)

THIRD SCHEDULE

[reg. 2]

APPROVED CONTAINER TERMINALS

1. The Container Terminal at Tsim Sha Tsui belonging to Wharf (Holdings) Limited.
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3. The Container Terminals at Kwai Chung belonging to Modern Terminals Ltd.
4. The Container Terminal at Kwai Chung belonging to Hong Kong International Terminals Ltd. or its subsidiaries.
5. The Container Terminal at Kwai Chung belonging to Sea-Land Orient Limited.
6. The Container Terminal at Kwai Chung belonging to COSCO-HIT Terminals (Hong Kong) Ltd.
7. The River Trade Terminal at Area 38, Tuen Mun (T.M.T.L. 393) belonging to the River Trade Terminal Co. Ltd.
8. The Container Terminal at Kwai Chung (CT-8 West) belonging to Asia Container Terminals Ltd.
9. The Container Terminal at Tsing Yi (CT-9 North) belonging to Hongkong International Terminals Ltd.
10. The Container Terminal at Tsing Yi (CT-9 South) belonging to Modern Terminals Ltd.