

Shipping Consultative Committee

Proposal to amend Cap. 413L when the revised Cap. 413B and the amended Cap. 413D are enacted

Purpose

1. The purpose of this paper is to seek members' views on the proposal to amend the relevant provisions in the Merchant Shipping (Prevention and Control of Pollution) (Fees) Regulation, Cap. 413L to allow the Government to recover costs for providing survey and certification services as required under the revised Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulation (Cap. 413B) and the amended Merchant Shipping (BCH Code) Regulations (Cap. 413D).

Background

2. Survey and certification services relevant to Cap. 413B and Cap. 413D provided by Government Surveyors at present are charged under Merchant Shipping (Fees) Regulations, Cap. 281F. At the time of the introduction of the Merchant Shipping (Prevention and Control of Pollution)(Fees) Regulation, Cap. 413L (the 'Fees Regulation') in 2005, the intention was for it to eventually cover all charges for services rendered under Cap. 413.
3. The Fees Regulation at present covers services provided under the Merchant Shipping (Prevention of Pollution by Sewage) Regulation (Cap. 413K) and the Merchant Shipping (Prevention of Air Pollution) Regulation (the 'Air Regulation') (Cap. 413 sub. leg), for which the latter will be enacted around May 2008.
4. The Committee has agreed the proposal to amend Cap.413B and Cap. 413D to give effect the latest amendments adopted by IMO in respect of the revised MARPOL Annex II and the BCH Code (vide SCC Consultation paper no. SCC/123 dated 31 March 2006 and SCC/125 dated 15 November 2006 respectively).

Proposal

5. Since the nature of survey and certification work under Cap. 413B and Cap. 413D is similar to that of Cap. 413K and the Air Regulation, the fees charging provisions of the Fees Regulation, with appropriate amendments, should also apply.
6. It must be pointed out that there are no differences in the charge rates under Cap.413L and Cap.281F.

Action requested

7. Members are invited to comment and endorse the above proposal.

Marine Department
Multi-lateral Policy Division
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