

**Legislative Amendment Exercises
for Marine-related Legislation since 2009**

Legislation	Description
Merchant Shipping (Safety) (Amendment) Ordinance 2009	The purpose of the exercise was to enable the use of a direct reference approach in making subsidiary legislation under the Merchant Shipping (Safety) Ordinance (Cap. 369) to achieve timely implementation of marine safety-related international conventions, and to adapt, remove or replace outdated references with colonial connotation in order to bring these provisions into conformity with the Basic Law and with the status of Hong Kong as a Special Administrative Region of the People's Republic of China.
Merchant Shipping (Local Vessels) (Fee Concessions) Regulation 2009	The Financial Secretary announced a package of relief measures on 26 May 2009 to alleviate the burden of the people of Hong Kong and certain sectors that were most seriously affected by the economic downturn and human swine flu. One of the measures was to waive for one year the licensing fees in respect of vessel licences for Class I, II, III and IV (for Class IV vessels, only vessels issued with a certificate of inspection/survey under section 6(3) of Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D)). The purpose of the exercise was to give effect to the waiver.
Shipping and Port Control (Amendment) Regulation 2009, Merchant Shipping (Registration) (Fees and	The costing review exercise showed that there was room to reduce a total of 27 marine-related fees and charges under two fee groups, namely "Port and Light

Legislation	Description
Charges) (Amendment Regulation 2009, Merchant Shipping (Seafarers) (Fees) (Amendment) Regulation 2009, and Merchant Shipping (Local Vessels) (Fees) (Amendment) Regulation 2009	Dues and Related Activities for Ocean-going Vessels and River-trade Vessels” and “Hong Kong Shipping Register and Related Services”. The purpose of the exercise was to give effect to the fee reduction.
Bunker Oil Pollution (Liability and Compensation) Ordinance	The purpose of the exercise was to implement the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (the “Bunker Oil Convention”) in Hong Kong. The extension of the Bunker Oil Convention to Hong Kong reinforced our status as an international maritime centre. Through the implementation of the Bunker Oil Convention, Hong Kong now has a compensation regime for pollution damage caused by discharge or escape of bunker oil from non-tankers on par with that of most overseas jurisdictions. Specifically, the Ordinance ensures the payment of adequate, prompt and effective compensation for pollution damage. Moreover, the liability of the shipowners of non-tankers can be determined under a set of uniform international rules and procedures and be subject to a specified limit, thereby providing them with greater certainty.
Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation (Amendment of Schedule) Notice 2010	There were requests from some local vessel traders to relax the then restriction (50 meters) on the length of vessels using the Hei Ling Chau Typhoon Shelter. The purpose of the exercise was to amend the Schedule to the Regulation so that local vessels with

Legislation	Description
	length overall exceeding 50 metres but not more than 75 metres are allowed to enter and remain in the Hei Ling Chau Typhoon Shelter.
Shipping and Port Control (Amendment) Regulation 2011	The costing review exercise showed that there was room to reduce a total of 24 marine-related fees and charges under two fee groups, namely “Port and Light Dues and Related Activities for Ocean-going Vessels and River-trade Vessels” and “Hong Kong Shipping Register and Related Services”. The purpose of the exercise was to give effect to the fee reduction.
Merchant Shipping (Seafarers) (Fees) (Amendment) Regulation 2011	
Amendments to the Pilotage Ordinance (Cap 84)	<p>The purpose of the exercise is to make a number of amendments to the Pilotage Ordinance (Cap 84) to improve its operation in the light of experience and to give statutory backing to certain existing practices. The amendments concern allowing working pilot beyond the age of 65 who has satisfactorily fulfilled the examination as to his physical and mental fitness and his eyesight, to retain the same class of licence, until the statutory limit of 68 years of age; lifting the compulsory pilotage requirement for vessels under 3 000 gross tonnage proceeding to or from the container terminals; amending the location description of the existing pilotage station; and miscellaneous amendments.</p> <p>The LegCo Panel on Economic Development was consulted on the legislative proposals on 26 November 2012. The Bill will be introduced into LegCo in early 2013.</p>

Legislation	Description
<p>Amendments to the Merchant Shipping (Seafarers) Ordinance (Cap 478).</p> <p>Enactment of a new regulation under the Ordinance.</p> <p>Amendments to the :</p> <p>(i) Merchant Shipping (Seafarers) (Allotments) Regulation (Cap 478A);</p> <p>(ii) Merchant Shipping (Seafarers) (Health and Safety: General Duties) Regulation (Cap 478C);</p> <p>(iii) Merchant Shipping (Seafarers) (Hours of Work) Regulation (Cap 478D);</p> <p>(iv) Merchant Shipping (Seafarers) (Provisions and Water) Regulation (Cap 478E)</p> <p>(v) Merchant Shipping (Seafarers) (Ships' Doctors) Regulation (Cap 478H);</p> <p>(vi) Merchant Shipping (Seafarers) (Crew Accommodation) Regulation (Cap 478I);</p> <p>(vii) Merchant Shipping</p>	<p>The Maritime Labour Convention, 2006 (MLC) will come into force with effect from 20 August 2013. The purpose of the exercise is to implement the requirements of MLC adopted by the International Labour Organisation in relation to the working conditions and welfare of seafarers, and to establish a certification, inspection and enforcement mechanism to ensure that ships registered in Hong Kong and foreign ships entering Hong Kong waters comply with the standards of MLC. These requirements cover 14 areas, including minimum age, medical certification, qualifications of seafarers, seafarers' employment agreements, private recruitment and placement services, hours of work or rest, manning levels for the ship, accommodation, on-board recreational facilities, food and catering, health and safety and accident prevention, on-board medical care, on-board complaint procedures, and payment of wages.</p> <p>The LegCo Panel on Economic Development was consulted on the legislative proposals on 11 December 2012. The Bill will be introduced into LegCo in early 2013.</p>

Legislation	Description
<p>(Seafarers) (Crew Agreements, Lists of Crew and Discharge of Seafarers) Regulation (Cap 478L);</p> <p>(viii) Merchant Shipping (Seafarers) (Medical Examination) Regulation (Cap 478O);</p> <p>(ix) Merchant Shipping (Seafarers) (Repatriation) Regulation (Cap 478Q);</p> <p>(x) Merchant Shipping (Seafarers) (Safety Officials and Reporting of Accidents and Dangerous Occurrences) Regulation (Cap 478R);</p> <p>(xi) Merchant Shipping (Seafarers) (Medical Stores) Regulation (Cap 478X); and</p> <p>(xii) Merchant Shipping (Seafarers) (Fees) Regulation (Cap 478AB).</p>	