

L.N. 82 of 2017

Shipping and Port Control (Amendment) Regulation 2017

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Shipping and Port Control (Amendment) Regulation 2017

(Made by the Chief Executive in Council under section 80 of the Shipping and Port Control Ordinance (Cap. 313))

1. Commencement

This Regulation comes into operation on 1 December 2017.

2. Shipping and Port Control Regulations amended

The Shipping and Port Control Regulations (Cap. 313 sub. leg. A) are amended as set out in sections 3 to 7.

3. Regulation 15 amended (failure of radiotelephone equipment)

(1) Regulation 15(1), Chinese text—

Repeal

“盡早將該裝備或安排將該裝備修復至”

Substitute

“，盡早令或安排令該裝備恢復”。

(2) Regulation 15(3)(b), Chinese text—

Repeal

“已修復至”

Substitute

“，已恢復”。

4. Regulation 23 amended (entry into restricted areas, etc.)

After regulation 23(6D)—

Add

“(6E) Except with the permission of the Director—

- (a) a vessel must not enter the Hong Kong Link Road Special Area No. 1 specified in paragraph 29 of the Fifth Schedule by crossing over the south-western boundary of the Special Area specified in paragraph 32 of that Schedule; or
- (b) a vessel must not enter the Hong Kong Link Road Special Area No. 2 specified in paragraph 30 of the Fifth Schedule by crossing over the north-eastern boundary of the Special Area specified in paragraph 33 of that Schedule.”.

5. Regulation 23A amended (supplementary provisions on entry into restricted areas, etc.)

Regulation 23A, Chinese text—

Repeal

“橋梁” (wherever appearing)

Substitute

“橋樑”.

6. Regulation 23B amended (additional supplementary provisions on entry into restricted areas, etc.)

(1) After regulation 23B(3A)—

Add

“(3B) Except with the permission of the Director—

- (a) a vessel which has a height exceeding that specified in paragraph 22(a) of the Fifth Schedule must not enter or pass through the Tuen Mun-Chek Lap Kok Link Area No. 1 specified in paragraph 22(b) of that Schedule;

- (b) a vessel which has a height exceeding that specified in paragraph 23(a) of the Fifth Schedule must not enter or pass through the Tuen Mun-Chek Lap Kok Link Area No. 2 specified in paragraph 23(b) of that Schedule; or
 - (c) a vessel which has a height exceeding that specified in paragraph 24(a) of the Fifth Schedule must not enter or pass through the Tuen Mun-Chek Lap Kok Link Area No. 3 specified in paragraph 24(b) of that Schedule.
- (3C) Except with the permission of the Director—
- (a) a vessel which has a height exceeding that specified in paragraph 25(a) of the Fifth Schedule must not enter or pass through the Hong Kong Link Road Area No. 1 specified in paragraph 25(b) of that Schedule;
 - (b) a vessel which has a height exceeding that specified in paragraph 26(a) of the Fifth Schedule must not enter or pass through the Hong Kong Link Road Area No. 2 specified in paragraph 26(b) of that Schedule;
 - (c) a vessel which has a height exceeding that specified in paragraph 27(a) of the Fifth Schedule must not enter or pass through the Hong Kong Link Road Area No. 3 specified in paragraph 27(b) of that Schedule; or
 - (d) a vessel which has a height exceeding that specified in paragraph 28(a) of the Fifth Schedule must not enter or pass through the Hong Kong Link Road Area No. 4 specified in paragraph 28(b) of that Schedule.

(3D) Except with the permission of the Director, a vessel which has an overall length exceeding 10 metres must not enter or pass through the Hong Kong Link Road Special Area No. 3 specified in paragraph 31 of the Fifth Schedule.”.

(2) Regulation 23B(5)—

Repeal everything before paragraph (a)

Substitute

“(5) Without prejudice to paragraph (1), (2), (3), (3A), (3B), (3C) or (3D), if a vessel is involved in a collision with any bridge within any of the Areas referred to in those paragraphs—”.

7. Fifth Schedule amended (restricted areas, etc.)

(1) Fifth Schedule, after paragraph 21—

Add

“22. TUEN MUN-CHEK LAP KOK LINK AREA No. 1

- (a) 21 metres above sea level;
- (b) the area of the waters of Hong Kong bounded by straight lines joining the following positions—
 - (i) latitude 22°18.625′ north,
longitude 113°57.607′ east;
 - (ii) latitude 22°18.592′ north,
longitude 113°57.660′ east;
 - (iii) latitude 22°18.513′ north,
longitude 113°57.578′ east;
 - (iv) latitude 22°18.546′ north,
longitude 113°57.523′ east;
 - (v) latitude 22°18.625′ north,

longitude 113°57.607' east.

23. TUEN MUN-CHEK LAP KOK LINK AREA No. 2

- (a) 12 metres above sea level;
- (b) the areas of the waters of Hong Kong respectively bounded by—
 - (i) the shore and straight lines joining the following positions—
 - (A) latitude 22°18.670' north,
longitude 113°57.555' east;
 - (B) latitude 22°18.625' north,
longitude 113°57.607' east;
 - (C) latitude 22°18.546' north,
longitude 113°57.523' east;
 - (D) latitude 22°18.638' north,
longitude 113°57.370' east;
 - (ii) straight lines joining the following positions—
 - (A) latitude 22°18.592' north,
longitude 113°57.660' east;
 - (B) latitude 22°18.468' north,
longitude 113°57.871' east;
 - (C) latitude 22°18.377' north,
longitude 113°57.808' east;
 - (D) latitude 22°18.513' north,
longitude 113°57.578' east;
 - (E) latitude 22°18.592' north,
longitude 113°57.660' east.

24. TUEN MUN-CHEK LAP KOK LINK AREA No. 3

- (a) 6 metres above sea level;

- (b) the area of the waters of Hong Kong bounded by the shore and straight lines joining the following positions—
- (i) latitude 22°17.995' north,
longitude 113°58.147' east;
 - (ii) latitude 22°18.172' north,
longitude 113°58.151' east;
 - (iii) latitude 22°18.377' north,
longitude 113°57.808' east;
 - (iv) latitude 22°18.468' north,
longitude 113°57.871' east;
 - (v) latitude 22°18.263' north,
longitude 113°58.215' east;
 - (vi) latitude 22°18.132' north,
longitude 113°58.466' east.

25. HONG KONG LINK ROAD AREA NO. 1

- (a) 41 metres above sea level;
- (b) the area of the waters of Hong Kong bounded by straight lines joining the following positions—
- (i) latitude 22°16.635' north,
longitude 113°51.756' east;
 - (ii) latitude 22°16.615' north,
longitude 113°51.810' east;
 - (iii) latitude 22°16.581' north,
longitude 113°51.921' east;
 - (iv) latitude 22°16.571' north,
longitude 113°51.978' east;
 - (v) latitude 22°16.453' north,
longitude 113°51.938' east;

- (vi) latitude 22°16.465' north,
longitude 113°51.881' east;
- (vii) latitude 22°16.498' north,
longitude 113°51.770' east;
- (viii) latitude 22°16.518' north,
longitude 113°51.716' east;
- (ix) latitude 22°16.635' north,
longitude 113°51.756' east.

26. HONG KONG LINK ROAD AREA NO. 2

- (a) 12 metres above sea level;
- (b) the areas of the waters of Hong Kong respectively bounded by—
 - (i) straight lines joining the following positions—
 - (A) latitude 22°16.860' north,
longitude 113°51.160' east;
 - (B) latitude 22°16.635' north,
longitude 113°51.756' east;
 - (C) latitude 22°16.518' north,
longitude 113°51.716' east;
 - (D) latitude 22°16.745' north,
longitude 113°51.114' east;
 - (E) latitude 22°16.860' north,
longitude 113°51.160' east;
 - (ii) straight lines joining the following positions—
 - (A) latitude 22°17.067' north,
longitude 113°53.135' east;
 - (B) latitude 22°16.967' north,
longitude 113°53.211' east;

-
- (C) latitude $22^{\circ}16.595'$ north,
longitude $113^{\circ}52.648'$ east;
- (D) latitude $22^{\circ}16.494'$ north,
longitude $113^{\circ}52.441'$ east;
- (E) latitude $22^{\circ}16.443'$ north,
longitude $113^{\circ}52.216'$ east;
- (F) latitude $22^{\circ}16.453'$ north,
longitude $113^{\circ}51.938'$ east;
- (G) latitude $22^{\circ}16.571'$ north,
longitude $113^{\circ}51.978'$ east;
- (H) latitude $22^{\circ}16.565'$ north,
longitude $113^{\circ}52.201'$ east;
- (I) latitude $22^{\circ}16.609'$ north,
longitude $113^{\circ}52.395'$ east;
- (J) latitude $22^{\circ}16.695'$ north,
longitude $113^{\circ}52.572'$ east;
- (K) latitude $22^{\circ}17.067'$ north,
longitude $113^{\circ}53.135'$ east;
- (iii) straight lines joining the following positions—
- (A) latitude $22^{\circ}17.675'$ north,
longitude $113^{\circ}54.701'$ east;
- (B) latitude $22^{\circ}17.649'$ north,
longitude $113^{\circ}54.650'$ east;
- (C) latitude $22^{\circ}17.648'$ north,
longitude $113^{\circ}54.587'$ east;
- (D) latitude $22^{\circ}17.674'$ north,
longitude $113^{\circ}54.645'$ east;
- (E) latitude $22^{\circ}17.675'$ north,
longitude $113^{\circ}54.701'$ east.

27. HONG KONG LINK ROAD AREA NO. 3

- (a) 10 metres above sea level;
- (b) the area of the waters of Hong Kong bounded by straight lines joining the following positions—
 - (i) latitude 22°17.597' north,
longitude 113°54.124' east;
 - (ii) latitude 22°17.575' north,
longitude 113°54.130' east;
 - (iii) latitude 22°17.567' north,
longitude 113°54.103' east;
 - (iv) latitude 22°17.589' north,
longitude 113°54.096' east;
 - (v) latitude 22°17.597' north,
longitude 113°54.124' east.

28. HONG KONG LINK ROAD AREA NO. 4

- (a) 5 metres above sea level;
- (b) the areas of the waters of Hong Kong respectively bounded by—
 - (i) straight lines joining the following positions—
 - (A) latitude 22°16.903' north,
longitude 113°51.029' east;
 - (B) latitude 22°16.860' north,
longitude 113°51.160' east;
 - (C) latitude 22°16.745' north,
longitude 113°51.114' east;
 - (D) latitude 22°16.787' north,
longitude 113°50.988' east;
 - (E) latitude 22°16.903' north,
longitude 113°51.029' east;

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- (ii) the shore and straight lines joining the following positions—
- (A) latitude $22^{\circ}17.244'$ north,
longitude $113^{\circ}53.658'$ east;
 - (B) latitude $22^{\circ}16.967'$ north,
longitude $113^{\circ}53.211'$ east;
 - (C) latitude $22^{\circ}17.067'$ north,
longitude $113^{\circ}53.135'$ east;
 - (D) latitude $22^{\circ}17.511'$ north,
longitude $113^{\circ}53.809'$ east;
- (iii) the shore and straight lines joining the following positions—
- (A) latitude $22^{\circ}17.469'$ north,
longitude $113^{\circ}53.839'$ east;
 - (B) latitude $22^{\circ}17.514'$ north,
longitude $113^{\circ}53.911'$ east;
 - (C) latitude $22^{\circ}17.561'$ north,
longitude $113^{\circ}54.012'$ east;
 - (D) latitude $22^{\circ}17.589'$ north,
longitude $113^{\circ}54.096'$ east;
 - (E) latitude $22^{\circ}17.567'$ north,
longitude $113^{\circ}54.103'$ east;
 - (F) latitude $22^{\circ}17.547'$ north,
longitude $113^{\circ}54.037'$ east;
 - (G) latitude $22^{\circ}17.505'$ north,
longitude $113^{\circ}53.942'$ east;
 - (H) latitude $22^{\circ}17.457'$ north,
longitude $113^{\circ}53.861'$ east;

- (iv) straight lines joining the following positions—
- (A) latitude $22^{\circ}17.649'$ north,
longitude $113^{\circ}54.650'$ east;
 - (B) latitude $22^{\circ}17.640'$ north,
longitude $113^{\circ}54.633'$ east;
 - (C) latitude $22^{\circ}17.613'$ north,
longitude $113^{\circ}54.563'$ east;
 - (D) latitude $22^{\circ}17.602'$ north,
longitude $113^{\circ}54.492'$ east;
 - (E) latitude $22^{\circ}17.604'$ north,
longitude $113^{\circ}54.355'$ east;
 - (F) latitude $22^{\circ}17.595'$ north,
longitude $113^{\circ}54.230'$ east;
 - (G) latitude $22^{\circ}17.575'$ north,
longitude $113^{\circ}54.130'$ east;
 - (H) latitude $22^{\circ}17.597'$ north,
longitude $113^{\circ}54.124'$ east;
 - (I) latitude $22^{\circ}17.618'$ north,
longitude $113^{\circ}54.236'$ east;
 - (J) latitude $22^{\circ}17.626'$ north,
longitude $113^{\circ}54.358'$ east;
 - (K) latitude $22^{\circ}17.626'$ north,
longitude $113^{\circ}54.487'$ east;
 - (L) latitude $22^{\circ}17.632'$ north,
longitude $113^{\circ}54.539'$ east;
 - (M) latitude $22^{\circ}17.648'$ north,
longitude $113^{\circ}54.587'$ east;
 - (N) latitude $22^{\circ}17.649'$ north,
longitude $113^{\circ}54.650'$ east;

- (v) the shore and straight lines joining the following positions—
- (A) latitude $22^{\circ}17.714'$ north,
longitude $113^{\circ}54.751'$ east;
 - (B) latitude $22^{\circ}17.696'$ north,
longitude $113^{\circ}54.757'$ east;
 - (C) latitude $22^{\circ}17.684'$ north,
longitude $113^{\circ}54.718'$ east;
 - (D) latitude $22^{\circ}17.675'$ north,
longitude $113^{\circ}54.701'$ east;
 - (E) latitude $22^{\circ}17.674'$ north,
longitude $113^{\circ}54.645'$ east;
 - (F) latitude $22^{\circ}17.714'$ north,
longitude $113^{\circ}54.725'$ east.

29. HONG KONG LINK ROAD SPECIAL AREA NO. 1

The area of the waters of Hong Kong bounded by straight lines joining the following positions—

- (a) latitude $22^{\circ}16.635'$ north,
longitude $113^{\circ}51.756'$ east;
- (b) latitude $22^{\circ}16.615'$ north,
longitude $113^{\circ}51.810'$ east;
- (c) latitude $22^{\circ}16.498'$ north,
longitude $113^{\circ}51.770'$ east;
- (d) latitude $22^{\circ}16.518'$ north,
longitude $113^{\circ}51.716'$ east;
- (e) latitude $22^{\circ}16.635'$ north,
longitude $113^{\circ}51.756'$ east.

30. HONG KONG LINK ROAD SPECIAL AREA NO. 2

The area of the waters of Hong Kong bounded by straight lines joining the following positions—

- (a) latitude $22^{\circ}16.581'$ north,
longitude $113^{\circ}51.921'$ east;
- (b) latitude $22^{\circ}16.571'$ north,
longitude $113^{\circ}51.978'$ east;
- (c) latitude $22^{\circ}16.453'$ north,
longitude $113^{\circ}51.938'$ east;
- (d) latitude $22^{\circ}16.465'$ north,
longitude $113^{\circ}51.881'$ east;
- (e) latitude $22^{\circ}16.581'$ north,
longitude $113^{\circ}51.921'$ east.

31. HONG KONG LINK ROAD SPECIAL AREA NO. 3

The area of the waters of Hong Kong bounded by straight lines joining the following positions—

- (a) latitude $22^{\circ}16.615'$ north,
longitude $113^{\circ}51.810'$ east;
- (b) latitude $22^{\circ}16.581'$ north,
longitude $113^{\circ}51.921'$ east;
- (c) latitude $22^{\circ}16.465'$ north,
longitude $113^{\circ}51.881'$ east;
- (d) latitude $22^{\circ}16.498'$ north,
longitude $113^{\circ}51.770'$ east;
- (e) latitude $22^{\circ}16.615'$ north,
longitude $113^{\circ}51.810'$ east.

32. SOUTH-WESTERN BOUNDARY OF THE HONG KONG LINK ROAD SPECIAL AREA No. 1

The boundary indicated by straight lines joining the following positions—

- (a) latitude $22^{\circ}16.547'$ north,
longitude $113^{\circ}51.787'$ east;
- (b) latitude $22^{\circ}16.498'$ north,
longitude $113^{\circ}51.770'$ east;
- (c) latitude $22^{\circ}16.518'$ north,
longitude $113^{\circ}51.716'$ east;
- (d) latitude $22^{\circ}16.567'$ north,
longitude $113^{\circ}51.733'$ east.

33. NORTH-EASTERN BOUNDARY OF THE HONG KONG LINK ROAD SPECIAL AREA No. 2

The boundary indicated by straight lines joining the following positions—

- (a) latitude $22^{\circ}16.532'$ north,
longitude $113^{\circ}51.904'$ east;
- (b) latitude $22^{\circ}16.581'$ north,
longitude $113^{\circ}51.921'$ east;
- (c) latitude $22^{\circ}16.571'$ north,
longitude $113^{\circ}51.978'$ east;
- (d) latitude $22^{\circ}16.521'$ north,
longitude $113^{\circ}51.961'$ east.”.

(2) Fifth Schedule, Note—

Repeal

“21”

Substitute

“33”.

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Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

9 May 2017

Explanatory Note

This Regulation amends the Shipping and Port Control Regulations (Cap. 313 sub. leg. A) (*Regulations*)—

- (a) to specify the geographical co-ordinates defining—
 - (i) the Tuen Mun-Chek Lap Kok Link Area No. 1;
 - (ii) the Tuen Mun-Chek Lap Kok Link Area No. 2;
 - (iii) the Tuen Mun-Chek Lap Kok Link Area No. 3;
 - (iv) the Hong Kong Link Road Area No. 1;
 - (v) the Hong Kong Link Road Area No. 2;
 - (vi) the Hong Kong Link Road Area No. 3;
 - (vii) the Hong Kong Link Road Area No. 4;
 - (viii) the Hong Kong Link Road Special Area No. 1;
 - (ix) the Hong Kong Link Road Special Area No. 2;
 - (x) the Hong Kong Link Road Special Area No. 3;
 - (xi) the South-Western Boundary of the Hong Kong Link Road Special Area No. 1; and
 - (xii) the North-Eastern Boundary of the Hong Kong Link Road Special Area No. 2;
- (b) to prohibit vessels exceeding certain heights from entering or passing through the areas mentioned in subparagraph (a)(i) to (vii);
- (c) to prohibit vessels from entering the area mentioned in subparagraph (a)(viii) by crossing over the boundary mentioned in subparagraph (a)(xi);
- (d) to prohibit vessels from entering the area mentioned in subparagraph (a)(ix) by crossing over the boundary mentioned in subparagraph (a)(xii);

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- (e) to prohibit vessels of an overall length exceeding 10 metres from entering or passing through the area mentioned in subparagraph (a)(x); and
- (f) to make minor textual amendments to the Chinese text of the Regulations.