

L.N. 171 of 2017

Shipping and Port Control (Amendment) (No. 2) Regulation 2017

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Shipping and Port Control (Amendment) (No. 2) 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 March 2018.

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 19.

3. Regulation 3 amended (interpretation)

Regulation 3, definition of *special condition of the vessel*—

Repeal

““special condition of the vessel” (船隻的特殊狀況)”

Substitute

“*special condition* (特殊狀況), in relation to a vessel.”.

4. Regulations 8, 8A and 8B substituted

Regulations 8, 8A and 8B—

Repeal the regulations

Substitute

“8. Pilot report

When a vessel embarks or disembarks a pilot in the waters of Hong Kong, the master of the vessel must, on the VHF channel appropriate to the VHF sector in which the vessel is located—

- (a) report the embarkation or disembarkation to the vessel traffic centre; and
- (b) give the time of the embarkation or disembarkation and the location of the vessel.

8A. Arrival report

When a vessel arrives in the waters of Hong Kong, the master of the vessel must, on the VHF channel appropriate to the VHF sector in which the vessel is located—

- (a) report the arrival to the vessel traffic centre; and
- (b) give the time of the arrival and the berth or other location of the vessel.

8B. Movement report

- (1) Before a vessel gets underway for a movement within the waters of Hong Kong, the master of the vessel must, on the VHF channel appropriate to the VHF sector in which the vessel is located—
 - (a) report the intended movement to the vessel traffic centre;
 - (b) request permission to move; and
 - (c) provide the vessel traffic centre with all the information specified in paragraph (2).
- (2) The following information is specified for the purposes of paragraph (1)(c)—
 - (a) the name of the vessel;
 - (b) the call sign of the vessel;
 - (c) the berth or other location of the vessel;

- (d) the intended berth or other intended location of the vessel;
- (e) any special condition of the vessel;
- (f) any other relevant information, including the intention of the master of the vessel to undertake a seatrial during the movement.”.

5. Regulations 8C and 8D repealed

Regulations 8C and 8D—

Repeal the regulations.

6. Regulations 8E and 8F substituted

Regulations 8E and 8F—

Repeal the regulations

Substitute

“8E. Move finished report

When a vessel ceases to be underway after the master of the vessel has reported an intended movement under regulation 8B, the master must, on the VHF channel appropriate to the VHF sector in which the vessel is located—

- (a) report the cessation of the movement of the vessel to the vessel traffic centre; and
- (b) give the time of the cessation and the berth or other location of the vessel.

8F. Departure report

- (1) Before a vessel gets underway for a departure from the waters of Hong Kong, the master of the vessel must, on the VHF channel appropriate to the VHF sector in which the vessel is located—
 - (a) report the intended departure to the vessel traffic centre;
 - (b) request permission to depart; and
 - (c) provide the vessel traffic centre with all the information specified in paragraph (2).
- (2) The following information is specified for the purposes of paragraph (1)(c)—
 - (a) the name of the vessel;
 - (b) the call sign of the vessel;
 - (c) the berth or other location of the vessel;
 - (d) the number of the port clearance obtained for the vessel under section 15 of the Ordinance;
 - (e) any special condition of the vessel;
 - (f) any other relevant information, including the intention of the master of the vessel to undertake a seatrial before the departure.”.

7. Regulations 8G and 8H repealed

Regulations 8G and 8H—

Repeal the regulations.

8. Regulation 8I substituted

Regulation 8I—

Repeal the regulation

Substitute

“8I. Delay report

- (1) This regulation applies if, after a report of an intended movement or departure has been made under regulation 8B or 8F, the movement or departure is delayed for any reason.
- (2) The master must report the delay to the vessel traffic centre on the VHF channel appropriate to the VHF sector in which the vessel is located.”.

9. Regulation 8J amended (special reports)

- (1) Regulation 8J(1)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

- (2) Regulation 8J(2)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

- (3) Regulation 8J(3)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

- (4) Regulation 8J(4)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

10. Regulation 11 amended (listening watch on radiotelephone)

Regulation 11(1)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

11. Regulation 12A amended (observation report)

Regulation 12A—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

12. Regulation 12B amended (calling-in point report)

Regulation 12B—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

13. Regulation 14 amended (deviation from this Part in emergencies)

Regulation 14(2)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

14. Regulation 14A amended (advice from the vessel traffic centre)

Regulation 14A—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

15. Regulation 15 amended (failure of radiotelephone equipment)

Regulation 15(2)—

Repeal subparagraphs (a) and (b)

Substitute

- “(a) compliance with regulation 11 is not required;
- (b) subject to subparagraph (c), compliance with regulation 7, 8, 8A, 8B, 8E, 8F, 8I, 12A, 12B or 14A (*prescribed regulation*) is not required; and
- (c) if it is possible for the master of the vessel to make the report required by a prescribed regulation by telephone or another means—
 - (i) compliance with the prescribed regulation is required; and
 - (ii) it is sufficient compliance with the requirement under the prescribed regulation to make a report on a VHF channel if the report is instead made by telephone or the other means.”.

16. Regulation 16 amended (penalties)

Regulation 16(2)—

Repeal

“8C, 8D, 8E, 8F, 8G, 8H,”

Substitute

“8E, 8F.”

17. First Schedule amended (VHF channels)

(1) First Schedule—

Repeal

“14 Harbour”

Substitute

“14 Harbour

02 Harbour East

63 Lantau South”.

(2) First Schedule, Note (1)—

Repeal

everything after “in which the vessel”

Substitute

“is located.”.

(3) First Schedule, Note (2)—

Repeal

“into which the vessel is to enter those waters”

Substitute

“which the vessel is to enter”.

(4) First Schedule, Note (3)—

Repeal

“from which the vessel left those waters”

Substitute

“which the vessel left”.

18. Second Schedule amended (VHF sectors)

(1) Second Schedule—

Repeal item 1

Substitute

“1. Eastern Approaches

The area of the waters of Hong Kong bounded to the west—

- (a) by a straight line drawn from the westernmost extremity of Siu Chau Wan Point to the westernmost extremity of A Kung Ngam Point (sometimes known as Kung Am);
- (b) by a straight line drawn from position latitude 22°15.393' north, longitude 114°07.869' east to position latitude 22°14.470' north, longitude 114°07.085' east;
- (c) by a straight line drawn from position latitude 22°10.968' north, longitude 114°06.847' east to position latitude 22°08.910' north, longitude 114°04.657' east.”.

(2) Second Schedule, item 2—

Repeal

“to the east”.

(3) Second Schedule, item 2(a)—

Repeal

“114°00'00”

Substitute

“114°00.000’”.

- (4) Second Schedule—

Repeal item 2(b)

Substitute

“(b) by latitude 22°14.000’ north between the points where it intersects the western shore of Lantau Island and the boundary of Hong Kong waters.”.

- (5) Second Schedule—

Repeal item 2(c) and (d).

- (6) Second Schedule, item 3(a)—

Repeal

“114°00’00’”

Substitute

“114°00.000’”.

- (7) Second Schedule, item 3(b)—

Repeal

everything after “line drawn from”

Substitute

“position latitude 22°15.952’ north, longitude 114°01.410’ east to position latitude 22°15.477’ north, longitude 114°01.666’ east;”.

- (8) Second Schedule, item 3(c)—

Repeal

everything after “line drawn from”

Substitute

“position latitude $22^{\circ}14.475'$ north, longitude $114^{\circ}02.685'$ east to position latitude $22^{\circ}13.166'$ north, longitude $114^{\circ}06.180'$ east;”.

- (9) Second Schedule—

Repeal item 3(d)

Substitute

“(d) by a straight line drawn from position latitude $22^{\circ}15.393'$ north, longitude $114^{\circ}07.869'$ east to position latitude $22^{\circ}14.470'$ north, longitude $114^{\circ}07.085'$ east;”.

- (10) Second Schedule—

Repeal item 3(e)

Substitute

“(e) by a straight line drawn from the westernmost point of the Island of Hong Kong to the westernmost point of Green Island;

(f) by a straight line drawn from the westernmost point of Green Island to position latitude $22^{\circ}19.000'$ north, longitude $114^{\circ}06.459'$ east;

(g) by a straight line drawn from position latitude $22^{\circ}19.000'$ north, longitude $114^{\circ}06.459'$ east to position latitude $22^{\circ}19.431'$ north, longitude $114^{\circ}07.358'$ east.”.

- (11) Second Schedule, after item 3—

Add

- “4. Harbour East

The area of the waters of Hong Kong bounded—

(a) by a straight line drawn from the westernmost point of the Island of Hong Kong to the westernmost point of Green Island;

- (b) by a straight line drawn from the westernmost point of Green Island to position latitude $22^{\circ}19.000'$ north, longitude $114^{\circ}06.459'$ east;
- (c) by a straight line drawn from position latitude $22^{\circ}19.000'$ north, longitude $114^{\circ}06.459'$ east to position latitude $22^{\circ}19.431'$ north, longitude $114^{\circ}07.358'$ east;
- (d) by a straight line drawn from the westernmost extremity of Siu Chau Wan Point to the westernmost extremity of A Kung Ngam Point (sometimes known as Kung Am).

5. Lantau South

The area of the waters of Hong Kong bounded—

- (a) by latitude $22^{\circ}14.000'$ north between the points where it intersects the western shore of Lantau Island and the boundary of Hong Kong waters;
- (b) by a straight line drawn from position latitude $22^{\circ}15.952'$ north, longitude $114^{\circ}01.410'$ east to position latitude $22^{\circ}15.477'$ north, longitude $114^{\circ}01.666'$ east;
- (c) by a straight line drawn from position latitude $22^{\circ}14.475'$ north, longitude $114^{\circ}02.685'$ east to position latitude $22^{\circ}13.166'$ north, longitude $114^{\circ}06.180'$ east;
- (d) by a straight line drawn from position latitude $22^{\circ}10.968'$ north, longitude $114^{\circ}06.847'$ east to position latitude $22^{\circ}08.910'$ north, longitude $114^{\circ}04.657'$ east.

Note:

In this Schedule, a reference to the co-ordinates of a point is a reference to the co-ordinates of that point based on the World Geodetic System 1984 (WGS 84).”.

19. Tenth Schedule amended (calling-in points)

(1) Tenth Schedule—

Repeal item 1(b).

(2) Tenth Schedule—

Repeal item 2(b) and (d).

(3) Tenth Schedule—

Repeal item 3(b) and (d).

(4) Tenth Schedule—

Repeal item 4(b) and (c).

(5) Tenth Schedule—

Repeal item 5(c) and (d).

(6) Tenth Schedule—

Repeal item 6(c) and (d).

(7) Tenth Schedule—

Repeal item 7(b), (d) and (e).

(8) Tenth Schedule—

Repeal item 8

Substitute

“8. Northern Fairway and Rambler Channel

(a) Northern 4 Buoy

(b) Cheung Tsing Bridge”.

Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

10 October 2017

Explanatory Note

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

- (a) facilitate efficient monitoring of the movement of vessels;
- (b) increase the number of VHF sectors (as delineated in the Second Schedule to the Regulations) from 3 to 5;
- (c) adjust the number of calling-in points (as specified in the Tenth Schedule to the Regulations) from 28 to 15; and
- (d) adopt the World Geodetic System 1984 (WGS 84) for setting out the co-ordinates that delineate the VHF sectors.