

LCQ21: Providing financial assistance to victims of marine traffic accidents

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (May 29):

Question:

In response to a vessel collision incident near Lamma Island that happened on October 1, 2012, the Government announced on October 18, 2012 that the Marine Department (MD) would, in consultation with the trade, explore the implementation of 10 improvement measures. One of the measures was to consider, by drawing reference from the Traffic Accident Victims Assistance (TAVA) Scheme, whether a Marine Traffic Accident Victims Assistance (M-TAVA) Scheme should be introduced. On the other hand, the Government set up a Steering Committee on Systemic Reform of the Marine Department (Steering Committee) on May 3, 2013 to advise and steer the Director of Marine on undertaking a comprehensive systemic review and reform. The Steering Committee indicated in its final report published in April 2016 that having considered the findings of a consultancy study, it had agreed not to introduce an M-TAVA Scheme at the present stage. In this connection, will the Government inform this Council:

- (1) of the assistance schemes through which the Government currently provides financial assistance to victims of marine traffic accidents;
- (2) in respect of each of the assistance schemes mentioned in (1), of (i) the respective numbers of marine traffic accident victims to whom financial assistance was provided, and (ii) the total amounts of subsidy granted to such persons, in each year since 2012; and
- (3) whether it will consider extending the scope of the TAVA Scheme to cover victims of marine traffic accidents; if so, of the details; if not, the reasons for that?

Reply:

President,

In response to the Hon Holden Chow's question, in consultation with the Marine Department (MD), the Social Welfare Department and the Home Affairs Department, our reply is as follows:

In October 2012, the Government announced that it would take forward 10 measures to enhance marine safety. One of these measures was to consider, by drawing reference to the Traffic Accident Victims Assistance (TAVA) Scheme, whether a Marine Traffic Accident Victims Assistance (M-TAVA) Scheme should be set up. Subsequently, MD engaged a consultant to study the feasibility of establishing the M-TAVA Scheme, as well as whether or not the TAVA Scheme

could be extended to cover victims of marine traffic accidents. After careful examination and consultation with the trade, the consultant found that the definition of a marine traffic accident was more complicated than that of a road traffic accident and that the probability of a marine traffic accident was relatively lower. The severity of marine traffic accidents was also found to be different from that of road traffic accidents. Furthermore, should the coverage of the relevant assistance scheme be expanded to cover victims of marine traffic accidents, a levy would need to be imposed on the vessel trade to cover the financial assistance granted in cases of marine traffic accidents. Since the number of vessels was much smaller than that of vehicles, it was estimated that a rather high levy would need to be charged and the vessel trade would have concern with regard to the associated financial burden. In view of the considerations above, the consultant concluded that it was impracticable to expand the coverage of the existing TAVA Scheme to include victims of marine traffic accidents. The Government accepted the findings and recommendations of the consultancy study, and reported the relevant findings of the study to the Legislative Council Panel on Economic Development in 2015, and received support from Members.

While at present there is yet to be a dedicated financial assistance scheme set up for victims of marine traffic accidents, there are nonetheless numerous charitable trusts and funds administered by the Government or other organisations which could provide emergency financial relief to victims of marine traffic accidents. These include the Hong Kong Jockey Club Charities Trust, the General Chinese Charities Fund, the Special Aid Fund, the Tang Shiu Kin and Ho Tim Charitable Fund, etc. Given the various charitable trusts and funds involved, the large volume and diverse backgrounds across different types of application cases they receive, as well as the individual processes and mechanisms of handling, sorting and recording approved cases used in each charitable trust/fund, we do not have the readily available breakdown on the financial assistance granted to victims of marine traffic accidents by each assistance scheme and thus cannot provide the relevant information.