

LCQ3: Protecting the safety of passengers of marine excursion vessels

Following is a question by the Hon Yiu Pak-leung and a reply by the Secretary for Transport and Logistics, Mr Lam Sai-hung, in the Legislative Council today (June 26):

Question:

There are views that the Victoria Harbour is an iconic tourist spot in which Hong Kong takes pride, and Victoria Harbour tours are well received by visitors to Hong Kong. However, there are views relaying that vessels engaging in illegal operation of harbour tours have now become increasingly rampant in the vicinity of Tsim Sha Tsui waterfront with inadequacies in the berthing arrangements, rendering it difficult to protect passenger safety. In this connection, will the Government inform this Council:

(1) of the current numbers of Class I and Class IV vessels that can provide harbour tour services, as well as the respective operational requirements of and restrictions on these two classes of vessels;

(2) as there are views relaying that some pleasure vessels have allegedly been engaging in illegal carriage of passengers in the vicinity of the Victoria Harbour and instantly charging individual passengers by means of soliciting, of the numbers of onsite inspections and decoy operations conducted by the authorities in respect of vessels allegedly engaging in illegal carriage of passengers in the past year, and whether they have reviewed the effectiveness of such law enforcement actions; and

(3) whether it has monitored the usage of the Victoria Harbour's various piers and landing facilities during peak hours and holidays, and whether it has planned to enhance the relevant facilities and formulate crowd control measures with a view to diverting passengers, thereby meeting the increasing market demand; if so, of the details; if not, the reasons for that?

Reply:

President,

Victoria Harbour is one of the major tourist attractions in Hong Kong, attracting a lot of visitors to go sightseeing onshore and at sea every year. At present, marine tours and sightseeing ships are available in the market for tourists and the general public to enjoy the scenery of Victoria Harbour. Navigational and safety matters in relation to the relevant vessels are regulated by the Marine Department (MD). Apart from providing licensing services of local vessels and surveying services, the MD also conducts routine patrols or special operations in Hong Kong waters from time to time to enforce various marine legislation. If any vessels (including sea sightseeing ships) are found to have violated marine legislation during

patrols, the MD shall take follow-up actions in accordance with the law to ensure that vessels comply with the requirements under the relevant licences and marine legislation.

Regarding to the Hon Yiu Pak-leung's questions, the reply, prepared in consultation with the relevant departments, is as follows:

(1) According to the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D), Class I vessels, such as ferries and launches, are permitted to carry more than 12 passengers and are mainly used for the purpose of carrying passengers. Class IV vessels can only be used by the owners or charterers of the vessel exclusively for pleasure purposes.

Generally speaking, all local vessels (including the two aforementioned types of vessels) are required to comply with the relevant requirements under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and its subsidiary legislation, such as holding a certificate of ownership, having a valid operating licence and third-party risks insurance on board. In addition, the vessels must have on board a qualified coxswain and engine operators or pleasure vessel operators with the relevant prescribed quantities of life-saving equipment, fire-fighting appliances and radio equipment, and must strictly adhere to the number of persons permitted to be carried onboard as allowed by their operating licenses.

All classes of vessels must also meet the relevant safety standards in the Code of Practice issued by the MD under section 8 of Cap. 548 specific to the characteristics of different classes of vessels (such as size, speed, nature of voyage, etc.), to ensure that vessels with varying characteristics are properly regulated.

Further, if a Class IV vessel is let for hire or reward, the owner must obtain the Director of Marine's prior approval of and endorsement on the vessel's operating licence. During the charter period, the written charter agreement or written hire-purchase agreement for such vessels must be available on board for inspection by an authorised officer.

As of May 2024, there were 265 Class I licensed vessels that can engage in sightseeing tours at sea and 997 Class IV licensed vessels approved by the Director of Marine to be let for hire or reward.

(2) From January 2023 to mid-June 2024, the MD conducted a total of 230 site inspections and 17 decoy operations in various waters of Hong Kong, and initiated 23 prosecutions. Among them, 17 cases were convicted, and the legal proceedings of four of the cases are still underway.

To safeguard navigational safety, apart from daily patrols and law enforcement in Hong Kong waters, the MD also works closely with the Hong Kong Police Force (HKPF), including conducting special joint operations during weekends and holidays, to combat illegal carriage of passengers, violation of licensing conditions, etc. The MD will continue to work closely with the HKPF and review the effectiveness of law enforcement efforts from time to time.

In addition, to help the public identify Class IV vessels endorsed by the MD for hire or reward, the MD has drawn up a list and made it available for public viewing. The list can be accessed by scanning the relevant QR code printed on pamphlets as well as posters and banners displayed in popular marine tourism spots. The MD will keep updating the list.

(3) Currently on both sides of the central Victoria Harbour, there are a number of landing facilities, including ferry piers, public piers and public landing steps, for vessels' use of passenger embarkation and disembarkation. Ferry piers are facilities used by franchised or licensed ferry services operators; public piers and public landing steps are generally public facilities that are open all day and for use by vessels so long as the latter comply with the relevant marine regulations, particularly those in respect of safe embarkation and disembarkation of passengers.

Regarding ferry piers, the ferry operators using the ferry piers are responsible for managing the daily operations of the piers. The Transport Department (TD) also arranges on-site inspections from time to time to closely monitor passenger demand and maintains close liaison with the ferry operators with a view to upgrading the pier facilities in a timely manner according to actual needs.

Regarding public piers and public landing steps, the daily operation is handled by different government departments in accordance with their respective scopes of work. Generally speaking, the TD is responsible for daily management, while the Civil Engineering and Development Department is responsible for the maintenance and repair of public piers and public landing steps. The Government will review the usage of public landing facilities and gauge the views of stakeholders from time to time to improve the design and usage arrangements of the landing facilities.

The TD conducts a survey approximately once every two years about the public piers and public landing steps under its management, including about 30 public piers and public landing steps in the central Victoria Harbour from Tsim Sha Tsui to Kai Tak and from Central to North Point. As observed, the regular daily usage of most of these facilities is not high, and the passenger embarkation and disembarkation at those facilities with higher usage is generally good and orderly. The TD will continue to review the usage and conditions of public piers and public landing steps through regular surveys.

Thank you, President.