

Marine Safety (Alcohol and Drugs) Bill to be gazetted on Friday

The Marine Safety (Alcohol and Drugs) Bill will be published in the Gazette this Friday (December 22) to enact new legislation with a view to regulating drink and drug boating in Hong Kong waters, so as to enhance marine safety and protect the safety of persons on board a vessel.

Under the Bill, a person involved in operating a vessel, including those who control, navigate or pilot a vessel, or performing designated duties, i.e. relating to the safety and the security of the vessel and the protection of the marine environment on board a vessel that is under way, will commit an offence if the person is under the influence of alcohol or drugs to the extent of being incapable of having proper control of the vessel, or has alcohol exceeding the prescribed limits in the person's body, or has any specified illicit drugs in the person's body.

A spokesperson for the Transport and Logistics Bureau said, "Considering that a vessel which is anchored, made fast to the shore or aground will not be able to navigate even when the engine is turned on, the Bill will apply to a vessel that is under way only, i.e. a vessel that is not at anchor, made fast to the shore or aground. We modelled on the existing testing regulations used for drink and drug driving on roads to devise a set of enforcement procedures on the sea. The Bill will empower the Marine Department and the Hong Kong Police Force to conduct compulsory approved tests on a person involved in operating a vessel or performing designated duties on board a vessel that is under way for alcohol or drugs after the occurrence of an accident, or during spot checks on vessels. The proposed penalties are also identical to those adopted under the Road Traffic Ordinance (Cap. 374) for drink and drug driving offences on roads."

The Panel on Economic Development of the Legislative Council and various statutory, advisory and consultative committees under the Marine Department have been consulted. Members supported the legislative proposal.

The Bill will be introduced into the Legislative Council for first reading on January 10, 2024.