

Press Release

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Merchant Shipping (Security of Ships and Port Facilities) Bill to be Introduced

The Government will shortly introduce into the Legislative Council the Merchant Shipping (Security of Ships and Port Facilities) Bill 2004. The bill seeks to give effect to the new maritime security provisions under Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS) and the associated International Ship and Port Facility Security (ISPS) Code adopted by the International Maritime Organisation. These security provisions will be binding on Hong Kong: the Central People's Government is a contracting government under SOLAS which is applicable to Hong Kong by extension.

Hong Kong, being the world's busiest container port and a regional hub port, is obliged to give effect to the requirements through domestic legislation, a spokesman for the Economic Development and Labour Bureau said today (10 March).

"Apart from complying with the obligation under SOLAS, it is equally important to strengthen the security of Hong Kong ships and port facilities to an agreed international standard since enhancing maritime security is a priority issue perceived by many countries which are our major trading partners," the spokesman explained.

"Failure to legislate in Hong Kong will not only project a negative image of Hong Kong and breach the international obligations but also cause serious adverse effect on the commercial operations of the shipping and port industries of Hong Kong as Hong Kong may be perceived as a weak link in ensuring the security of the supply chain.

"The bill is therefore essential to maintaining Hong Kong's status as an international maritime centre and a regional hub port," he noted.

The main provisions of the bill are to empower the Secretary for Economic Development and Labour to make regulations to implement the new provisions, and to confer on the Director of Marine various powers to implement the security requirements on Hong Kong registered ships and port facilities in Hong Kong, and to impose security control measures on foreign ships visiting the port of Hong Kong.

The spokesman said that since the new security provisions would be applicable to ships as well as port facilities engaged in ship/port interface activities, it was more appropriate to introduce the bill encompassing security requirements for ships and port facilities rather than making amendments to existing legislation to provide for clarity and consistent implementation of the security provisions.

“The bill will have one subsidiary regulation which will stipulate in detail the specific requirements for ships and port facilities, offences and penalties, and appeal procedures,” the spokesman said.

The bill will be gazatted on 12 March 2004, and then be introduced into the Legislative Council on 24 March 2004.

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