

LC: Second reading of Merchant Shipping (Security of Ships and Port Facilities) Bill 2004

Following is the speech by the Acting Secretary for Economic Development and Labour, Mr John Tsang, in resuming the second reading debate of the Merchant Shipping (Security of Ships and Port Facilities) Bill 2004 at Legislative Council meeting today (June 23):

Madam President,

The Merchant Shipping (Security of Ships and Port Facilities) Bill 2004 seeks to give effect to maritime security provisions under the December 2002 Amendments to the "International Convention for the Safety of Life at Sea 1974" and the associated "International Ship and Port Facilities Security Code" adopted by the International Maritime Organization. Upon entering into force on July 1, 2004, these maritime security provisions will be binding on Hong Kong, as the Central People's Government, a contracting state to the Convention, has made the provisions applicable to Hong Kong by extension.

To fulfil our obligations under the international convention, we are required to give effect to the provisions through domestic legislation. Since the existing merchant shipping and port control legislations do not deal with security issues, nor cover any port facilities that are located on land, we need to enact new legislation to give effect to the new security provisions. The enactment of the Bill, and its subsidiary legislation, will empower the Director of Marine to require Hong Kong registered ships and port facilities in Hong Kong to implement relevant security measures, and impose security control measures on foreign ships visiting the port of Hong Kong.

The timetable for the legislative process had been tight, as many implementation issues were not resolved until mid-2003 by various agencies under the IMO. In this connection, we would like to thank the support of the local maritime industry in working out the details for implementing the security provisions in Hong Kong, so that this Bill could be introduced into this Council on March 24. More importantly, the assistance and support of the Bills Committee, that began work on the Bill on May 28, have enabled us to resume the Second Reading debate today, so that with its enactment, we will be able to fulfill these international obligations.

In this regard, I would like to convey my sincere thanks to the Chairman, the Honourable Miriam Lau, and members of the Bills Committee, the Honourable Margaret Ng, Sin

Chung-kai and David Chu, who had worked intensely on the Bill and its subsidiary legislation, the Merchant Shipping (Security of Ships and Port Facilities) Rules, within a very short period of time. Their pragmatic advice was instrumental to adopting the relevant IMO principles into this piece of domestic legislation. We note the views of Members on the very tight schedule within which the Bills Committee was required to complete its scrutiny work. Expeditious scrutiny of the Bill arose from the requirement of the HKSARG to comply with the deadline for implementing the relevant international obligations on July 1, 2004. The circumstances were exceptional and we would not treat this case as a precedent in future. We would like to thank Members for their special assistance on this occasion.

Detailed security requirements for ships and port facilities, the offences and penalties, as well as appeal procedures, will be stipulated in the Merchant Shipping (Security of Ships and Port Facilities) Rules, a piece of subsidiary legislation to be made under the Bill after its enactment. The Rules will be finalised on the basis of the draft Rules examined at length and agreed to by the Bills Committee, subject to the amendments to be made by the Administration.

Madam President, the Bill is crucial to maintaining Hong Kong's status as a major international hub port and logistics center. It is supported by the local shipping and port industry whose comments have been taken into account in the Bill. I urge members to pass the Bill into law.

Thank you, Madam President.

Ends/ Wednesday, June 23, 2004

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