

# 108

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Special Issue for  
30<sup>th</sup> Anniversary



Institute of Seatransport  
海運學會

# SEAVIEW 海運季刊

JOURNAL OF THE INSTITUTE OF SEATRANSPORT

**Recent Chinese Tax Changes Affecting  
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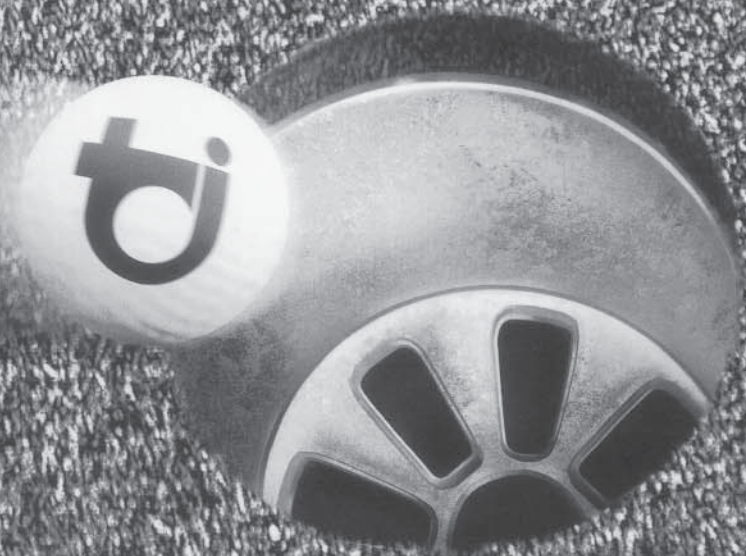
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## Editorial – Thirtieth Anniversary

Time is flying. The Institute of Seatransport has reached its 30<sup>th</sup> anniversary and continues its mission of working with various maritime associations and groups, in addition to its educational work and publications. The Hong Kong Maritime Forum (HKMF) was established in 2011 by the various maritime groups, including this Institute.

The Institute has for some time been concerned about the shortage of qualified manpower in Hong Kong's maritime industries and the Institute has often conducted career talks and seminars at local colleges and secondary schools, encouraging youngsters to join the broader maritime field, including becoming Maritime Lawyers, Average Adjusters, Ship's Agents, P&I Claims Handlers and Captains or Chief Engineers of ships. Once these youngsters understand the long history of the maritime industries in Hong Kong, they will hopefully join the ranks of others who have preceded them in these fields.

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## 篇者語 - 海運學會 30 週年

時間過得真快，永不回頭，轉眼海運學會又踏上第 30 個年頭，正值盛年時期。我們除了在海運學術上作出些微貢獻，還與各航運團體有所聯繫。航運界在 2011 年成立了香港航運界聯席會議，本會也不甘後人，即參與其中為航運界聯席會議出一點棉力。

其中一點本會特別關注的，就是香港航運業缺乏人材，青黃不接，斷層數十年。本會時常到各中學去介紹航運業，鼓勵年青人加入航運業，希望年青人知悉香港有了航運業百多年，極需要年青有為的海事人材，無論年青人將來是海事律師、海損理算師、船長或輪機長，香港在在需要的。

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*Nick Shepherd / Paul Herring*

As what Confucius said “since 30, I have been well established 三十而立”, it is a great milestone for the Institute of Seatrtransport to reach 30th anniversary this year. On this occasion, I wish the Institute every success for many more years to come.

Frank Wen-King TSAO, Honorary President

海運學會三十周年誌慶

賢才懋集  
繼往開來

海事處處長黃偉綸





## 海運學會的成立

一九八四年十月廿六日，在香港理工學院（現稱為香港理工大學）航海系任教的魏立志船長和朱志統船長及一班志同道合的海運界人士成立了海運學會。海運學會是一個以香港為中心，由各海運行業人士共同參與的團體。

海運學會的主要宗旨是為促進香港海運專業知識交流，提高社會各界對海運專業的認識及所作出的貢獻。另一方面，它有不同之處是以中文為主作為本地交流。

它的會員來自與海運有關的從業人士如船東、海事保險、船務經紀、海事法律、海損理算、海事仲裁、船舶及貨物檢驗、船舶工程、領港員及高級航海人員如船長、輪機長等。會員分為四級，分別為聯系會員、普通會員、院士會員和公司會員等。

主要活動包括定期舉辦學術專題講座，邀請海運界的知名人士演講，及與其他學術團體有所聯系、參與或聯合舉辦學術研討會。同時並於一九八四年，創刊了《海運季刊》，並定期出版，免費寄與各會員和有關團體。

一九八六年二月十三日，公司註冊署依據公司條例批准海運學會註冊成為有限公司。一九九五年八月，海運學會有限公司向公司註冊署申請免除有限公司字眼並獲得批准；因而海運學會雖然是有限公司，但運作上則採用海運學會為名稱。

## 海運學會課程

一九八四年海運學會與香港理工學院（現為香港理工大學）聯合舉辦了有關海運的課程，學員經考試合格後頒發證書。由於香港以舉辦海運和航運課程機構甚少，因此，學會舉辦這類課程，一直都得到很多人士的擁護和支持。

直至一九九三年，學會轉移與香港城市大學持續教育專業進修學院和職業訓練局貨運業訓練委員會聯合舉辦和維持此類證書課程；直至今日，也培訓了不少航運業的人材。

因應社會需要，人人需要終生學習，海運學會於二零零二年與香港城市大學和職業訓練局貨運業訓練委員會繼續籌辦並提升有關海運及物流管理文憑課程，使學員增加更多知識，第一班海運及物流管理文憑課程於二零零三年一月開辦。

海運學會曾舉辦的課程如下列：-

1. 輪船管理營運與實務  
Operational Shipping Management and Practice.
2. 海運市場  
Seafreight Marketing.
3. 海運文件  
Documentation for Seatransport.
4. 海運索賠  
Shipping Claim.
5. 港口和貨物代理  
Port and Cargo Agency.

6. 船東的互保  
Shipowners ' Protection and Indemnity.
7. 海事和貨物檢驗  
Marine and Cargo Survey.
8. 海運業的營運通訊  
Business Communication in Shipping Industry.
9. 海運法律  
Shipping Laws.
10. 船舶租賃及其業務  
Ship Chartering and related matters.
11. 一般海運實務  
General Shipping Practice.
12. 水險和貨物索賠  
Marine Insurance and Cargo Claim.
13. 物流及供應鏈管理  
Logistics and Supply Chain Management.
14. 海運資訊科技管理  
IT Management for Shipping.
15. 船務商業管理  
Business Management for Shipping.
16. 船舶管理和船舶財務  
Ship Management and Finance.

### 亞太區海運會議

(Asian Pacific Seatransport Conference [APSCO])

一九八七年六月廿五至廿六日，海運學會在香港舉辦了第一屆亞洲海運會議，討論了「遠東貨櫃運輸的發展 (CONTAINERIZATION DEVELOPMENT IN THE FAR EAST)」。第二屆在台北舉行後，海運學會成為亞太區海運會議 (APSCO) 的秘書處，協助其他亞太地區舉辦的亞太區海運會議。這個會議，計劃每兩年在亞洲一地區舉行，進行有關海事上和航運上的交流和研討。

一九九七年十月六至七日，學會在香港主辦第四屆亞太區海運會議，並以「航運之挑戰 (Challenge in Shipping)」為題討論。這次舉辦的會議，可以說是有三種意義的：

- (一) 亞洲海運會議及其後的 APSCO 正是十週年；
- (二) 第一屆亞洲海運會議在香港舉行；十週年時，也在香港舉行；
- (三) 適值是香港回歸年，學會在香港回歸後舉辦第一個國際性會議，實在是令人鼓舞的。

由於再沒有主辦單位願意舉辦第五屆亞太區海運會議，這會議便一直多年擱置下來。

### 兩岸三地海運研討會

自第四屆亞太區海運會議在一九九七年十月七日閉幕後，便再沒有舉辦任何會議。五年後，中國方面由深圳海運協會於二零零二年提出中、港、台三方面的海運會議；終於同年十一月成功地在深圳舉行了「兩岸三地」的海運研討會。這似乎是亞太區海運會議的延續。

隨後，在二零零三年十一月一日，由海運學會在香港主辦了第二屆「兩岸三地」的海運研討會議。這些會議主要目的是中、港、台憑著有關海運會議而加強溝通。

台灣航運學會於二零零四年十二月十八至二十日在台北舉行第三屆「兩岸三地」海運研討會。

深圳海運協會於二零零五年十二月十六至十七日在深圳舉行第四屆「兩岸三地」海運研討會。

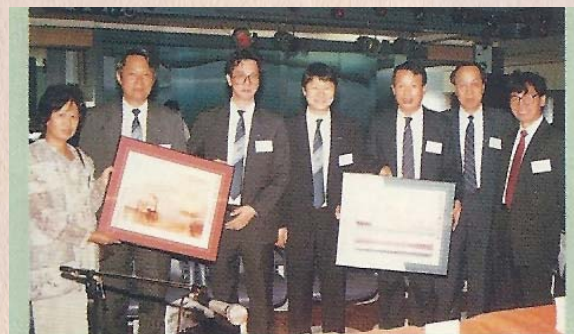
二零零六年十一月十八日海運學會在香港舉行了第五屆「兩岸三地」海運研討會。

台灣航運學會於二零零七年十一月九至十一日在台北舉行第六屆「兩岸三地」海運研討會。與會各代表提出，由於每年安排這個兩岸三地海運研討會過於頻密，後來決定每兩年舉行一次。但是，二零零八年深圳海運協會於九月提出，他們會於同年十一月舉行第七屆研討會，要求各會提供文稿，因為時間過於倉促而要押後至二零零九年三月份才舉行。



### **香港航運界推廣及籌款日**

香港航運界十二個團體，包括海運學會 25 週年慶祝期間，合辦香港航運界推廣及籌款日。是次活動目的是對社會公眾人士顯示航運界的人材及實力、經濟地位及業界的團結精神，以推廣航運界的精神面貌，並將航運業界推介給有志入行或已就職航運業的年青一代。籌款其中一目的是以獎學金形式授于年青一代，使其於所選定的學府攻讀與航運業有關的課程。



### **香港航運界聯席會議**

航運界在 2011 年成立了香港航運界聯席會議，本會也不甘後人，即參與其中為航運界聯席會議出一點棉力。目的是向香港特別行政區政府提供有關航運界的意見。



(林傑：Master Mariner, M.I.S., M.H.)

### Foundation

On 26 October 1984, two lecturers at the Department of Maritime Studies of Hong Kong Polytechnic (Now Hong Kong Polytechnic University) Captain L.C. NGAI and Captain Peter C.T. CHU together with a group of people in the shipping industry, found the Institute of Seatransport. Based in Hong Kong, it is a body consisting of the different disciplines of the shipping industry.

The aim of the Institute is to promote the exchange of professional knowledge within the Hong Kong shipping community, to promote the recognition of professional seatransport for the community in Hong Kong and the contribution which it makes to our society. It is also a Chinese language medium for the exchange of views within the local territory.

Members come from different streams in the shipping industry, such as ship owners, marine insurers, ship brokers, maritime lawyers, average adjusters, maritime arbitrators, ship and cargo surveyors, ship builders/repairers, harbour pilots and senior seagoing personnel, for instance, ship Masters, Chief Engineers etc.

There are four grades of memberships in the Institute; they are Associate, Ordinary, Fellow and Corporate Members.

The main functions of the Institute include the holding of regular seminars to which well known people in the shipping industries are invited, joint functions and participation in conferences.

“Seaview” is the magazine of the Institute. It was established in 1984 and is published quarterly. “Seaview” is distributed to members and related bodies free and contain a wide range of articles and features of general interest to those involved in the marine industry.

The Institute was incorporated as a limited company on 13 February 1986. In August 1995, the Institute had been granted the exemption of use of the word “limited” by the Company Registry of Hong Kong Government. This means that the Institute is a company limited, but “Institute of Seatransport” in operation and running business.

### Training Courses

The Institute has coordinated with The Hong Kong Polytechnic (Now The Hong Kong Polytechnic University) to run the shipping related training courses since 1984. Certificates are issued to successful trainees after passing their examinations. As there are few organizations in Hong Kong to conduct similar courses, the training courses run by the Institute are welcomed and are fully supported.

Until 1993, the Institute jointly organised the academic courses with the School of Continuing and Professional Education of the City University and the Transport and Physical Distribution of Vocational Training Council. Many people active in the shipping industry in Hong Kong have benefited from these courses.

As the need of the community and people have an intention for life-learning, the Institute of Seatransport has organised with the Hong Kong City University and the Transport and Physical Distribution of Vocational Training Council to upgrade and create the Diploma Course in Shipping and Logistics Management in the year of 2002 for the industries. The first diploma course commenced in January 2003.

The training courses conducted were :-

1. Operational Shipping Management and Practice.
2. Seafreight Marketing.
3. Documentation for seatransport.
4. Shipping Claims.
5. Port and Cargo Agency.
6. Shipowners' Protection and Indemnity.
7. Marine and Cargo Survey.
8. Business Communication in Shipping Industry.
9. Shipping Laws.
10. Ship Chartering and its related matters.
11. General Shipping Practice.
12. Marine Insurance and Cargo Claim.
13. Logistics and Supply Chain Management.
14. IT Management.

15. Business Management.
16. Ship Management and Finance.

### **Asian Pacific Seatransport Conference [APSCO]**

The first Asian Seatransport Conference was held in Hong Kong by the Institute on 25-26 June 1987, to discuss the "Containerization Development in the Far East". The Institute has become the secretariat of APSCO to assist and sponsor the conference hosted by the other areas in the region after the 2<sup>nd</sup> Asian Seatransport Conference held in Tai Pei. The conference discussed maritime and shipping related subjects.

On 6-7 October 1997, the Institute of Seatransport hosted the fourth APSCO conference in Hong Kong with the theme "Challenge in Shipping". The conference celebrated the 10<sup>th</sup> anniversary of APSCO and the Institute was pleased to host the 10<sup>th</sup> anniversary celebration as it had hosted the initial conference. It also hosted the first APSCO conference after the handover of Hong Kong to China in 1997.

### **Shipping Conference between Mainland, Taiwan and Hong Kong**

There were no conferences at all since the 4<sup>th</sup> APSCO on 7 October 1997. After 5 years, the Shenzhen Maritime Shipping Association of China proposed a shipping conference for "Mainland, Taiwan and Hong Kong". The Conference was successfully held in November 2002. This seemed that the continuation of APSCO, isn't it?

Following the conference in Shenzhen, the Institute of Seatransport hosted the second conference in Hong Kong on 1 November 2003 at the Intercontinental Grandford Hotel, Hong Kong. The aim of the conference was to enhance communication between China, Hong Kong and Taiwan within the field of seatransport.

Taiwan Maritime Institute held the third conference in Tai Pei, Taiwan on 18 – 20 December 2004.

Shenzhen Maritime Shipping Association held the fourth conference in Shenzhen on 16 – 17 December 2005.

On 18 November 2006 the Institute of Seatransport hosted the fifth conference in Hong Kong.

Taiwan Maritime Institute held the sixth conference in Tai Pei, Taiwan on 9 – 11 November 2007. The representatives proposed the conference to be held bi-annually. However, Shenzhen Maritime Shipping Association has planned to host the seventh conference in November 2008 and requested the academic articles from the other two institutes in September 2008. As the arrangement timing was too short and rush, eventually, the plan was postponed to the March 2009.

### **Hong Kong Maritime Industry Promotion and Fund Raising Day**

The twelve organisations of Hong Kong Maritime Industry (HKMI), including the Institute of Seatransport which

celebrated the 25<sup>th</sup> Anniversary at the time, jointly organised the HKMI Promotion and Fund Raising Day. The event served the purpose of promoting the strength, strong presence and unity of HKMI to the general public, to assist/encourage the younger generation to join HKMI. One of the purposes of fund raising is to put into a scholarship to the young generations who are keen to take maritime-related subjects or courses at selected tertiary institutions in Hong Kong.

### **The Hong Kong Maritime Forum**

The Hong Kong Maritime Forum (HKMF) has been established in 2011 by the various maritime groups, including this Institute. The purpose is providing comments in regard with maritime industry to the Hong Kong Special Administrative Regional Government (HKSARG).

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**(Lam Kit : Master Mariner, M.I.S., M.H.)**

## 歷任名譽會長 List of Honorary Presidents

名譽會長 Honorary Presidents	公司 Company	任職年份 Year of Office
程餘齋先生 Mr. Robert Y.T. Chen	隆星航業有限公司 Grand Seatrade Shipping Agencies Ltd.	1985-2002
趙世彭博士 Dr. Frank Chao	華光船務有限公司 Wah Kwong Shipping Company	1985-2001
梁敏行先生 Mr. M.H. Liang	金山輪船國際有限公司 Island Navigation Int'l Corporation Ltd.	1985-2013
曹文錦先生 Mr. Frank Tsao	萬邦集團 IMC Group	1985-
江 波先生 Mr. Jiang Bo	招商局集團有限公司 China Merchants Holdings Co. Ltd.	1985-1998
宋毅英先生 Mr. Song Yi Ying	華聯船舶有限公司 China United Shipbuilding Co., Ltd.	1985-1987
蘇海文博士 Dr. H. Sohmen	環球輪船代理有限公司 World-Wide Shipping Agency Ltd.	1987-
莊重文博士 Dr. Chong Chung Man	莊氏集團有限公司 Chong's Holdings Ltd.	1987-1990
董建成先生 Mr. C.C. Tung	東方海外有限公司 OOCL	1995-
張大春先生 Mr. Zhang Dachun	招商局集團有限公司 China Merchants Holdings Co. Ltd.	1995-1998
鄭煒顯先生 Mr. W.S. Cheng	懋德航運(香港)有限公司 Unique Shipping (HK) Ltd.	1997-2005
杜寶明船長 Captain Du Baoming	中遠(香港)集團有限公司 COSCO (HK) Group Ltd.	1998-
程 義先生 Mr. Andrew Chen	隆星航業有限公司 Grand Seatrade Shipping Agencies Ltd.	2000-
曹慰德先生 Mr. Frederick Tsao	萬邦集團 IMC Group	2000-
顧建綱先生 Mr. Kenneth C. K. Koo	泰昌祥輪船(香港)有限公司 Tai Chong Cheang Steamship Co. (HK) Ltd.	2000-
周祺芳先生 Mr. Zhou Qi Fang	招商局集團有限公司 China Merchants Group	2000-2006
劉國元先生 Mr. Liu Guo Yuan	中遠(香港)集團有限公司 COSCO (HK) Group Ltd.	2000-2008
趙世光先生 Mr. George Chao	華光船務有限公司 Wah Kwong Shipping Co. Ltd.	2001-
吳中校先生 Mr. Wu Zhong Xiao	中國海運(香港)控股有限公司 China Shipping (HK) Holdings Co. Ltd.	2002-2007
潘裕國先生 Mr. Stephen Pan	環球輪船代理有限公司 World-Wide Shipping Agency Ltd.	2004-
許堅信先生 Mr. G.A. Higginson	前任 - 海事處長 Ex-Director of Marine	1987-1988

## 歷任名譽會長 List of Honorary Presidents

名譽會長 Honorary Presidents	公司 Company	任職年份 Year of Office
賀 樂先生 Mr. Derek Hall	前任 - 署理海事處長 Ex-Director of Marine (Acting)	1988-1990
施祖祥先生 Mr. Michael C.C. Sze	前任 - 海事處長 Ex-Director of Marine	1990-1992
苗學禮先生 Mr. J.A. Miller	前任 - 海事處長 Ex-Director of Marine	1992-1994
柏 基先生 Mr. A.C. Pyrke	前任 - 海事處長 Ex-Director of Marine	1994-1996
戴毅彬船長 Captain Ian Dale	前任 - 海事處長 Ex-Director of Marine	1996-1998
崔崇堯先生 Mr. Tsui Shung Yiu	前任 - 海事處長 Ex-Director of Marine	1998-
譚百樂船長 Captain Roger Tupper	前任 - 海事處長 Ex-Director of Marine	2006 -2011
廖漢波先生 Mr. Francis H.P. Liu	前任 - 海事處長 Ex-Director of Marine	2011-
顧建舟先生 Mr. David C.C. Koo	萬利輪船有限公司 Valles Steamship Co. Ltd.	2006-
蘇新剛先生 Mr. Su Xin Gang	招商局集團有限公司 China Merchants Holdings Co. Ltd.	2006-
鄭承忠先生 Mr. Edward Cheng	懋德航運(香港)有限公司 Unique Shipping (HK) Ltd.	2006-
韓駿先生 Mr. Han Jun	中國海運(香港)控股有限公司 China Shipping (HK) Holdings Co. Ltd.	2007- 2013
劉俊成先生 Mr. C.C. Liu	巴拉歌船務有限公司 Parakou Shipping Ltd.	2009-
高彥明先生 Mr. Gao Yan Ming	河北遠洋香港有限公司 HOSCO Hong Kong Ltd.	2009-
王富田先生 Mr. Wang Fu Tian	中遠(香港)集團有限公司 COSCO (H.K.) Group Co Ltd.	2009-2011
田忠山先生 Mr. Tian Zhong Shan	中外運航運有限公司 Sinotrans Shipping Ltd.	2009-2013
張 良先生 Mr. Zhang Liang	中遠(香港)集團有限公司 COSCO (H.K.) Group Co Ltd	2011-
吳昌正先生 Mr. Wu Chang Zheng	中國海運(香港)控股有限公司 China Shipping (H.K.) Holdings Co. Ltd.	2013-
李 樺先生 Mr. Li Hua	中外運航運有限公司 Sinotrans Shipping Limited	2013-
黃偉綸先生 Mr. Michael W.L. Wong	海事處長 Director of Marine	2014 -



We are pleased to have the kindest contribution by our Honorary Presidents, Members and Fellows for the purpose of providing free young membership, scholarship for students as well as the administration cost of the Institute.

We would like to award our Honorary Presidents for their support as follows:

Dr. Helmut Sohmen	World-Wide Shipping Agency Ltd.	Gold Donor
Mr. Edward Cheng	Unique Shipping (H.K.) Ltd.	Gold Donor
Mr. David Koo	Valles Steamship Co., Ltd.	Gold Donor
Ms. Sabrina Chao	Wah Kwong Maritime Transport Holdings Ltd.	Gold Donor
Mr. Su Xin Gang	China Merchants Group	Silver Donor
Mr. Li Hua	Sinotrans Shipping Ltd.	Silver Donor
Mr. Wu Chang Zheng	China Shipping (HK) Holdings Co. Ltd.	Silver Donor
Mr. C. C. Tung	Island Navigation Corporation Int'l Ltd.	Silver Donor
Mr. Andrew Chen	Grand Seatrade Shipping Co. Ltd.	Silver Donor
Mr. C. C. Liu	Parakou Shipping Ltd.	Silver Donor
Mr. Kenneth Koo	Tai Chong Cheang Steamship Co. (HK) Ltd.	Silver Donor
Mr. Frank Tsao	IMC Group	Silver Donor
Mr. Stephen Pan	World-Wide Shipping Agency Ltd.	Bronze Donor

Donation List of Members and Fellows:

Mr. So Ping Chi	Bronze Donor
Capt. Tsang Chiu Ming	Bronze Donor
Yun Lee Marine Holdings Ltd.	Bronze Donor
Hong Kong Seamen's Union	Bronze Donor
Capt. Lam Kit	Bronze Donor
Mr. Wong Tak Chiu, Raymond	Bronze Donor
Mr. Cheung Shun Man, Manson	Bronze Donor
Ms. Cheung Pui Ching, Vivian	Bronze Donor
Ms. Lam Shui Kwan, Karen	Bronze Donor
Mr. Chan Carson, Roy	Bronze Donor
Mr. Hung Shung Leung	Bronze Donor
Capt. Pang Wai Yung, Norman	Bronze Donor
Hong Kong Pilots Association Limited	Bronze Donor
Merchant Navy Officers' Guild Hong Kong	Bronze Donor
Mr. Jon William Zinke	Bronze Donor
Mr. Lau Sai On, Edward	Bronze Donor
Mr. Se Chiu Kei	Bronze Donor
Hong Kong Logistics Management Staff Association	Bronze Donor
Shipping Employee Union	Bronze Donor
Capt. Wu Ka Shun	Bronze Donor
Marine Department	Bronze Donor

The Institute will contribute to the Shipping Community Society by allocating \$50,000 as a scholarship to the Universities and Maritime Institutes.

## 歷屆主席 List of Chairmen

週年 Anniversary	年份 Year	屆別 Year of office	主席 Chairmanship
創會 Inception	1983/1984	1984/85 (1)	魏立志 L.C. Ngai 特級船長，香港理工學院航海學系講師 Captain, Extra Master, Lecturer in the Department of Nautical Studies of The Hong Kong Polytechnic
1	1984/1985	1985/86 (2)	魏立志 L.C. Ngai 特級船長，香港理工學院航海學系講師 Captain, Extra Master, Lecturer in the Department of Nautical Studies of The Hong Kong Polytechnic
2	1985/1986	1986/87 (3)	魏立志 L.C. Ngai 特級船長，香港理工學院航海學系講師 Captain, Extra Master, Lecturer in the Department of Nautical Studies of The Hong Kong Polytechnic
3	1986/1987	1987/88 (4)	陳潤鈞 Y. K. Chan 船務公司董事 Managing Director of a shipping company.
4	1987/1988	1988/89 (5)	陳保成 Parkson P.S. Chan 懋德航運有限公司業務經理 Project Manager of Unique Shipping Agencies Ltd.
5	1988/1989	1989/90 (6)	劉世安 Edward S.O. Lau 海損理算師，Richards Hogg Ltd. 合夥人 Average Adjuster, Partner of Richards Hogg Ltd.
6	1989/1990	1990/91 (7)	毛善芝 S. C. Mo 東源大地有限公司總經理 General Manager of Eastern Worldwide Company Ltd.
7	1990/1991	1991/92 (8)	周雲貴 W.K. Chau 東方海外有限公司總船長 Port Captain of OOCL.
8	1991/1992	1992/93 (9)	胡樹焯 William S. C. Wu 利比亞海事局海事專員 Chief Engineer, Director of Liberian Maritime Affairs.
9	1992/1993	1993/94 (10)	張大棣 T. T. Chang 華光航業有限公司經理 Captain, Manager of Wah Kwong Shipping Company Ltd.
10	1993/1994	1994/95 (11)	張大棣 T. T. Chang 華光航業有限公司經理 Captain, Manager of Wah Kwong Shipping Company Ltd.
11	1994/1995	1995/96 (12)	董貴堯 K.Y. Tung 新輝船務有限公司董事 Captain, Director of Shenfield Shipping Ltd.
12	1995/1996	1996/98 (13)	毛善芝 S. C. Mo 東源大地有限公司總經理 General Manager of Eastern Worldwide Company Ltd.
13	1996/1997	1996/98 (13)	毛善芝 S. C. Mo 東源大地有限公司總經理 General Manager of Eastern Worldwide Company Ltd.
14	1997/1998	1998/2000 (14)	伍占美 J. M. Ng 香港理工大學航運及物流學系高級講師 Senior Lecturer in the Department of Shipping and Transport Logistics of The Hong Kong Polytechnic University.
15	1998/1999	1998/2000 (14)	伍占美 J. M. Ng 香港理工大學航運及物流學系高級講師 Senior Lecturer in the Department of Shipping and Transport Logistics of The Hong Kong Polytechnic University.
16	1999/2000	2000/02 (15)	王德超 Raymond T.C. Wong 海損理算師，Richards Hogg Lindley Ltd 董事 Average Adjuster, Director of Richards Hogg Lindley Ltd.

## 歷屆主席 List of Chairmen

週年 Anniversary	年份 Year	屆別 Year of office	主席 Chairmanship
17	2000/2001	2000/02 (15)	王德超 Raymond T.C. Wong 海損理算師 · Richards Hogg Lindley Ltd 董事 Average Adjuster, Director of Richards Hogg Lindley Ltd.
18	2001/2002	2002/04 (16)	伍占美 J. M. Ng 香港理工大學物流學系助理教授 Assistant Professor in the Department of Logistics of The Hong Kong Polytechnic University.
19	2002/2003	2002/04 (16)	伍占美 J. M. Ng 香港理工大學物流學系助理教授 Assistant Professor in the Department of Logistics of The Hong Kong Polytechnic University.
20	2003/2004	2004/06 (17)	伍占美 J. M. Ng 香港理工大學物流學系助理教授 Assistant Professor in the Department of Logistics of The Hong Kong Polytechnic University.
21	2004/2005	2004/06 (17)	伍占美 J. M. Ng 香港理工大學物流學系助理教授 Assistant Professor in the Department of Logistics of The Hong Kong Polytechnic University.
22	2005/2006	2006/08 (18)	蘇平治 P. C. So 香港海事處總經理 / 船舶註冊和海員事務部 General Manager/Ship Registration and Seafarer Branch of Marine Department, HKSAR.
23	2006/2007	2006/08 (18)	蘇平治 P. C. So 香港海事處總經理 / 船舶註冊和海員事務部 General Manager/Ship Registration and Seafarer Branch of Marine Department, HKSAR.
24	2007/2008	2008/10 (19)	蘇平治 P. C. So 香港海事處總經理 / 本地船隻安全部 General Manager/Ship Registration and Seafarer Branch of Marine Department, HKSAR.
25	2008/2009	2008/10 (19)	蘇平治 P. C. So 香港海事處總經理 / 本地船隻安全部 General Manager/Local Vessels Safety Branch of Marine Department, HKSAR.
26	2009/2010	2010/12 (20)	王德超 Raymond T.C. Wong 海損理算師 · Richards Hogg Lindley Ltd 董事 Average Adjuster, Director of Richards Hogg Lindley Ltd.
27	2010/2011	2010/12 (20)	王德超 Raymond T.C. Wong 海損理算師 · Richards Hogg Lindley Ltd 董事 Average Adjuster, Director of Richards Hogg Lindley Ltd.
28	2011/2012	2012/14 (21)	蘇平治 P. C. So 香港海事處助理處長 / 船舶事務部 Assistant Director of Marine/Shipping Division of Marine Department, HKSAR.
29	2012/2013	2012/14 (21)	蘇平治 P. C. So 香港海事處助理處長 / 船舶事務部 Assistant Director of Marine/Shipping Division of Marine Department, HKSAR.

## Record of Events and Activities among recent 5 years

The Institute of Seatransport is a Hong Kong Based professional organization which aims to raise the professional standards of the seatransport industry. Below is the record of various events and activities in the past 5 years.

### 2009/10 *Chairman – Mr. P. C. So*

1. 31 December 2009 – New Year Eve Joint Dinner Party with shipping associations
2. 4 February 2010 – Evening Seminar – joint function with Hong Kong Shipping Circles Association  
*Topic:* Hong Kong-Zhuhai-Macao Bridge  
*Speaker:* Hon Miriam Lau Kin-yeet, GBS, JP
3. 4 March 2010 – Membership Evening Gathering joint function with HKTC/HK Polytechnic College/ HK Polytechnic University/IVE Old Boys at Merchant Navy Officers Club.
4. 6 May 2010 – Membership Evening Gathering joint function with HKTC/HK Polytechnic College/HK Polytechnic University/IVE Old Boys at Merchant Navy Officers Club.
5. 10 – 13 June 2010 – Shipping Conference 2010 – Visit to the Shanghai Harbour and China Shipping Group Headquarters cum Tour of the World Expo.
6. 29 July 2010 – Membership Evening Gathering joint function with HKTC/HK Polytechnic College/HK Polytechnic University/IVE Old Boys at Merchant Navy Officers Club.
7. 21 September 2010 – National Day Joint Cocktail Party with related associations
8. 25 – 31 October 2010 – Joint function event – Maritime Awareness Week
9. 8 December 2010 – 26<sup>th</sup> AGM Dinner Party  
*Guest Speaker:* Mr. Yau Shing Mu, Under Secretary for Transport and Housing



# Events & Activities

## 2010/2011 *Chairman* – Mr. Raymond T.C. Wong

1. 31 December 2010 – New Year Eve Joint Dinner Party with shipping associations

2. 26 January 2011 – Evening Seminar

*Topic:* Air/Sea Port

*Speakers:* Mr. Norman Lo Shung-man, Director of Civil Aviation and Mr. So Ping Chi



3. 29 March 2011 – Joint Evening Seminar with Marine Insurance Club

*Topic:* 1. US Environmental Issues; Salvage & Marine Firefighting, Vessel General Permits, Non Tank Vessel Update

2. Iran Sanction Act 2010

*Speaker:* Mr. Jon Zinke



4. 24 May 2011 – Evening Seminar

*Topic:* 1. Some Legal Aspects of Piracy  
2. A review of Insurance Coverage and Claims Relating to Piracy

*Speakers:* Ms. Rosita Lau

Mr. Raymond Wong



5. 25 June 2011 – Visiting Activity  
Guangzhou Nansha Port



6. 19 August 2011 – Visiting Activity  
Asia Airfreight Terminal at the Hong Kong International Airport

7. 22 September 2011 – National Day Joint Cocktail Party with related associations

8. 13 December 2011 – 27<sup>th</sup> AGM Dinner Party

*Guest Speaker:* Mr. Francis H.P. Liu, Director of Marine

## Events & Activities

### 2011/2012 *Chairman* – Mr. Raymond T.C. Wong

1. 15 December 2011 – Inauguration Ceremony of Hong Kong Maritime Forum (HKMF) with shipping associations
2. 31 December 2011 – New Year Eve Joint Dinner Party with shipping associations
3. 12 January 2012 – Evening Seminar  
*Topic:* International Sale of Goods and Shipping  
*Speakers:* Mr. Philip Yang  
Mr. Ernest Yang
4. 16 June 2012 – Shipping Conference in Taiwan  
*Topic:* New trends on development of logistics between China, Taiwan and Hong Kong  
兩岸航運、港埠與物流發展之新趨勢論壇
5. 5 July 2012 – Evening Seminar  
*Topic:* Opportunities & Challenges of the Logistics Industry in China  
*Speaker:* Mr. Peter Lee
6. 20 September 2012 – National Day Joint Cocktail Party with related associations
7. 1 December 2012 – Visiting Activity  
Panyu Port
8. 11 December 2012 – 28<sup>th</sup> AGM Dinner Party  
*Guest Speaker:* Mr. Stephen Pan, Chairman of World-Wide Shipping Limited



# Events & Activities

## 2012/13 *Chairman – Mr. P. C. So*

1. 31 December 2012 – New Year Eve Joint Dinner Party with shipping associations

2. 26 March 2013 – Evening seminar

*Topic:* The Book of Changes ( 淺談易經 )

*Speaker:* Mr. Chan Kwok Sing – Director & EC Member,  
Shun Tak – China Travel Shipping Investment Limited



3. 26 May 2013 – Visiting Activity

CSSC Guangzhou Longxue Shipbuilding Factory  
( 廣州中船龍穴造船廠 )



4. 4 July 2013 – Evening seminar

*Topic:* The Implementation of the  
Maritime Labour Convention, 2006 in  
Hong Kong

*Speaker:* Mr. Wong Sai Fat, Principal  
Surveyor of Marine Department



5. 22 August 2013 – Evening seminar

*Topic:* The Role of Mediation in Resolving Maritime  
Disputes

*Speaker:* Mr. Julian M Stargardt, In-house counsel; CEO  
regional consulting firm, advisor to corporations and  
government departments in H.K.



6. 25 September 2013 – National Day Joint Cocktail Party with related associations

## Events & Activities

7. 28 October 2013 – half day seminar

*Topics and speakers:*

Session I: Collision and apportionments of liability:

English Court decisions and the MSA approach

*by Mr. Paul Apostolis - Partner, Holman Fenwick Willan*

Session II: Updates on global marine insurance markets

*by Mr. David Lum - Chairman, JLT Specialty Asia*

Session III: U.S. and related Sanctions

*by Mr. Paul Aston - Partner, Holman Fenwick Willan*



8. 23 November 2013 – Visiting activity – Kai Tak Cruise Terminal

9. 12 December 2013 – 29<sup>th</sup> AGM Dinner Party

*Guest Speaker: Mr. Yick Chi Ming, LegCo Councilor*





# Events & Activities

## 2013/14 *Chairman – Mr. P. C. So*

1. 31 December 2013 – New Year Eve Joint Dinner Party with shipping associations



2. 9 January 2014 – Evening Workshop joint function with Hong Kong Logistics Management Staff Association

*Theme:* Decision Making in Ship Acquisition

*Moderators:* Mr. Cho Hor Wong

Mr. Raymond T.C. Wong

Mr. Manson S.M. Cheung



3. 16 Jan 2014 - Participating the Forum 2<sup>nd</sup> Anniversary Dinner Party



4. 31 May 2014 – Visiting Shekou Container Terminal



5. 28 August 2014 – Evening seminar  
*Topic:* A Brief Introduction to MARPOL Convention and part of Amendments

*Speaker:* Mr. Chen Jianhua

Senior Surveyor of China Classification Society Hong Kong Branch



6. 24 September 2014 – National Day Joint Cocktail Party with related associations



7. 9<sup>th</sup> Shipping Conference in Shenzhen on 30 Oct., 2014



## Events & Activities

8. 22 November 2014 – 30<sup>th</sup> Anniversary Fund Raising Walk – Lamma Island



9. 16 December 2014 – 30th AGM Dinner Party  
*Guest Speaker: Hon. Regina Ip*



### **A Word of Gratitude**

*The Institute would like to extend its warmest appreciation to all those people who dedicated themselves to the development of the Institute of Seatransport over the past thirty years.*

**"A Significant Milestone"**

by Helmut Sohmen, Honorary President, Institute of Seatrtransport, Hong Kong

Warmest congratulations to the Institute on its 30th anniversary!

During the past three decades, the Institute and all its many collaborators have been successful in achieving excellent results in its chosen mission: the distribution of information about the many facets of shipping to the public at large, the furtherance of professional knowledge and skills among its members, the interaction between the industry and relevant governmental authorities, and the provision of a social network for participants in the various sectors of our business.

The shipping industry is diverse. Qualifications required for active involvement are high and still rising. More regulation at international, national, and local levels are commonplace. Knowledge is becoming more specialised for the main-stream shipmanagement activities as well as for the many ancillary services ship owners depend on such as legal, accounting, insurance, classification, or port administration. Legal responsibilities for seafarers and also onshore staff are increasing all the time, bureaucracy is expanding, and machinery and systems are getting more complex. The pressures of time in all operations are immense. Training is at a premium. Public relations is a necessity. Morale-boosting is always beneficial.

Against this background, the Institute has been doing a remarkable job over the years. Even more remarkable when one bears in mind that its accomplishments have relied on the determination and hard work of an army of volunteers who make personal sacrifices to help instruct their colleagues and aid them in their careers, help with the administration of the affairs of the Institute, or keep links with the involved professions. The wider industry owes them much gratitude, respect, and support.

I am sure I can write on behalf of all in the Hong Kong shipping community in expressing the hope that the Institute and all those involved with it can look forward to repeating their record of achievement also during the decades to come.

# 恭賀

## 海運學會三十週年會慶

香港領港會有限公司  
香港物流管理人員協會

香港海員工會  
香港商船高級船員協會  
船務從業員工會

海運學會成立三十周年誌慶

三十而立

英才輩出

萬利輪船有限公司董事總經理

顧建舟 敬賀



**D. S. Marine Limited**

Congratulate

on the occasion of its Thirtieth Anniversary,  
we wish the Institute of Seatransport ever  
growing prosperity.

## 萬邦集團 IMC GROUP



The IMC Group comprises companies with diverse interest worldwide. The major strategic business interests core to the IMC Group are in shipping operations, shipmanagement, crew management, newbuilding services, distribution, logistics, engineering and infrastructure development, palm plantation, iron ore, oil and gas and coal mining, port development besides real estate development and construction material manufacturing.

The IMC Group owns and operates a fleet of bulk carriers, chemical/product tankers, offshore supply vessels, FPSO FLF, tugs and barges, logistic distribution center, warehousing, container terminal, shiprepair and offshore yards.

The IMC Group has a major presence in Asia such as Hong Kong, Thailand, Malaysia, Singapore, Indonesia and China. It also has offices including Japan, South Africa, South Korea, the Philippines, India, Dubai, Australia, France and U.S.A.

### Contacts:

Rooms 1705-08, 17/F, St. George's Building, 2 Ice House Street, Central, Hong Kong.

香港中環雪廠街 2 號聖佐治大廈 17 樓 1705-08 室

Tel: (852) 2820 1100 Fax: (852) 2596 0050

Email: [imcdm@imcgroup.com.hk](mailto:imcdm@imcgroup.com.hk) Website: [www.imcgroup.info](http://www.imcgroup.info)

## JRC Hostmost Engineering Ltd



YOKOGAWA



Electronic Chart Display and Information System (ECDIS)

### carriage requirement:

Passenger Ship ( $\geq 500$ GT) or Tanker ( $\geq 3,000$ GT):  
1 July 2012 (New building)

Cargo Ship ( $\geq 10,000$ GT): 1 July 2013

Cargo Ship ( $\geq 3000$ GT): 1 July 2014 (New Building)

Passenger Ship ( $\geq 500$ GT):  
Before 1 July 2014 (Existing)

Tanker ( $\geq 3000$ GT): Before 1 July 2015 (Existing)

Cargo ( $\geq 50,000$ GT): Before 1 July 2016 (Existing)

Cargo ( $\geq 2,000$ GT): Before 1 July 2017 (Existing)

Cargo ( $\geq 10,000$ GT): Before 1 July 2018 (Existing)

JRC: Marine Telecom & Navigational Equipment

Yokogawa: Auto Pilot & GyroCompass System

Add: 12/F., Yan's Tower,

27 Wong Chuk Hang Road, HK

Email: [g01host@hostmost.com.hk](mailto:g01host@hostmost.com.hk)

Tel: (852) 2554 9207 Fax: (852) 2554 5152

## Glory in Maritime Industry

There were three persons in Maritime Industry obtained the honour from the HKSAR Government in the year of 2012. They are:

### 30 June 2012 Saturday

#### Mr. Roger Freeman Tupper

Mr. Tupper is awarded the SBS for his distinguished and dedicated service to the Government and the Hong Kong community. He has made exemplary effort in ensuring safe operation of the port and all Hong Kong waters, and in promoting Hong Kong as a world class port and international maritime centre. Mr. Tupper retired as the Director of Marine after serving 32 years with the Government.

#### Mr. Philip Yang Liang-ye

Mr. Yang is awarded the BBS for his meritorious public and community service, particularly his valuable contribution in promoting the development of maritime arbitration services.

#### Mr. Lam Kit

Mr. Lam is awarded the MH for his outstanding and dedicated service in the Marine Officer Grade. He retired as a Marine Officer after serving over 25 years with the Government.

## 航運界光榮紀錄

航運界有三位人士於 2012 年獲香港特別行政區政府頒授勳銜，他們是：

### 2012 年 6 月 30 日星期六

#### 譚百樂

譚百樂盡心竭力為政府及香港市民服務，表現卓越，尤其致力確保船舶在香港港口和水域內安全航行，鞏固香港作為世界級港口和國際航運中心的地位，貢獻良多，現獲頒授銀紫荊星章。譚百樂服務政府三十二年，並已於海事處處長任內榮休。

#### 楊良宜

楊良宜熱心參與公共及社會服務，表現傑出，尤其致力推動海事仲裁服務發展，貢獻良多，現獲頒授銅紫荊星章。

#### 林傑

林傑在海事主任職系竭誠工作，表現卓越，堪稱典範，現獲頒授榮譽勳章。林傑為退休海事主任，服務政府逾二十五年。

## Courses List:

- 1) --- Continuing Education Certificate in Sea Transport (CEC) on 11/2010 to 4/2011.
- 2) --- Continuing Education Diploma in Shipping and Logistics Management (CED) on 4/2010 to 8/2011.
- 3) --- Continuing Education Certificate in Sea Transport (CEC) on 11/2011 to 4/2012.
- 4) --- Continuing Education Diploma in Shipping and Logistics Management (CED) on 4/2011 to 8/2012.
- 5) --- Refresher Course on Navigation Safety cum Bridge Resource Management for Fire Services Department conducted from April to July 2012.
- 6) --- As an organizing party in the “ICS Study Group”



*Institute of Seatrtransport and the graduates at the School of Continuing and Professional Education*



*Refresher Course on Navigation Safety cum Bridge Resource Management for Fire Services Department conducted in 2012*

Congratulations to the Institute of Seatransport  
as you celebrate your 30<sup>th</sup> Anniversary !

Your role as the vanguard of the Hong Kong  
Maritime Cluster is priceless as Hong Kong  
continues its growth as a premier International  
Maritime Centre.

**Kenneth Koo, Honorary President**

**恭賀 海運學會  
成立三十周年紀念**

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本會創辦於1954年，是本地載客小輪、渡輪及拖輪船東組成的同業組織，並於1973年改組為有限公司。會員以船隻登記為單位，現時商會會員客船、渡輪及拖輪約有三百艘。

宗旨：

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I am truly honored to have been the Chairman of the Institute of Seatransport for the past few years.

The Institute of Seatransport was founded in Hong Kong in 1984. The main objective of the Institute is to promote marine professionalism and co-operation amongst maritime related organizations in Hong Kong. Over the past thirty years, the Institute has organized many training courses, conferences and other activities in an effort to achieve the main objective of the Institute. In recent years, the Institute has also undertaken some more focused activities aimed at attracting and guiding our younger generation in their career development in the industry.

To work closely together with the Government on the common goal of maintaining Hong Kong's status as an International Maritime Centre, I, as the Chairman of the Institute, have accepted an appointment as a member of the Maritime Industry Council to give views on organizing regular activities for the promotion and manpower training in the industry and also for setting up a new body in an appropriate form to strengthen the institutional set-up and dedicate human resources for the long-term development of the Hong Kong maritime industry. The

last policy address by the Chief Executive on the high value-added maritime services reflected that the views of the industry have been duly considered.

In the past thirty years, the Institute has accomplished many tasks for the betterment of the industry. Without the good leadership of the past Chairmen and full support/advice from our Honorary Presidents, the Institute would not have been so successful. So, I would like to take this opportunity to express our gratitude to the past Chairmen and our Honorary Presidents for their wholehearted support and guidance throughout the past thirty years.

As you all know, the maritime industry is facing a tough time in the coming year. Let's prepare ourselves well and work closely together with other marine friends for the challenges ahead and also enjoy our working life in this fascinating industry. Life is just like a tale: It doesn't matter how long it is, but how good it is.

December 2014

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*(So Ping Chi:  
Chairman of Institute of Seatransport)*

2014年4月16日，新聞傳來了令人震驚及痛心的海難消息，一艘載有476人的韓國客船翻沉，造成近280人失蹤及死亡，而失蹤者大多被困船艙。

2014年5月15日，BBC在其網頁[www.bbc.com/news/world-asia-27342967](http://www.bbc.com/news/world-asia-27342967)以South Korea Sewol Ferry: What we know刊登了一篇新聞短片，讀者可自行登入觀看，再結合本文，希望提醒大家從海難事件中吸取血的教訓。

這些不單是海難之教訓，推而廣之，可用於其他交通工具，甚至其他工程項目。船名為SEWOL，要找出類似事件之可能成因，雖資料有限，亦不會太難，因類似事件曾發生多次，死傷較多的有1987年的HERALD OF FREE ENTERPRISE之翻沉涉及近200條人命；1994年的ESTONIA，涉及852條人命。網上均可搜尋到。原因是船頭或船尾的汽車出入口水密性不好而進水。而載車甲板太闊太長，一旦進水，除浮力減少，自由液面也會令穩性大減（自由液面所造成的其它海難，見我在SEAVIEW有關木材船及鎳礦船失事之有關分析）。

亡羊補牢，為了克服上述汽車船存在之隱患，新條例要求在車門（船身大開口處）加裝閉路電視，及水密門鬆脫之警報等。但是，當發出警告時，問題往往已經發生了。

很多車客船之穩性本身不會太富裕，即他們可以符合所謂不同情況之穩性要求，但并不富裕。如BBC所說，在上層

加擴客艙，本身對穩性有減弱之作用，故監管機構要求船同時在下艙加壓載水，以降低重心，把上面加擴之不利因素抵消。但上述之必然效果是增加了水尺即降低了干舷。載重線LOADLINE規則之所以要寫入這許多條文主要就是要保證干舷。從BBC之資料船圖，船尾開口車門之下端，離水線并不高。無論如何，將水密門當做完整船體而不考慮其“門”的想法是危險的，門是可以開閉的。開航前的工作一般較多，如果水密門未關好，或本身有漏水，則隨時進入死亡之旅。

另外，貨物，車，及人員的移動會令船傾側。從BBC短片可見有至少十幾個甲板貨櫃亂作一團，明顯沒有綁固，可能以為航程短無需做固定。如果甲板貨櫃可以不綁固，則船上之汽車，據說有145部之多，也可能被忽視。傾側對穩性強及干舷高的船影響較少，只要能保持穩性及足夠干舷即可（海水不入船內部），一艘船如果僅是左右不平衡，基本上仍安全。但由BBC船圖可見尾門本身下端已近水線，再傾側可能會令水線高於尾門下緣。如水密門有問題，海水大量灌入，而非滲入，很容易造成速傾及翻沉。

至於BBC所說本應987噸貨而估計實際裝有3608噸應該不可能。第一，船根本沒有空間（從圖估計）去容納3608噸的貨物；第二，如多裝2500噸，則船要下沉水尺估計1.5米，很明顯大幅超過滿載水尺，不可能看不出來。

當然也可能有船僅在水下觸到其他物件，或潛水艇，或船的內部結構有意料不到的損壞情況，但可能性很低。

那麼，在這裡，我們到底需要作什麼改進呢？

- 操作及巡視人員應了解水密門不健全可引發之災難，即重要之技術知識應下傳到實際操作人員，而非按本辦事。開航前之水密門查驗，要百分百做足。
- 所有有關船員，尤其是基層船員，應對自由液面對穩性所產生的嚴重後果，深切理解才不會工作馬虎。機房泵工等也要有這方面的清晰概念，否則胡亂泵入泵出，造成自由液面，危害穩性。
- 貨物之捆綁，上級船員不可能不知其嚴重性。基層船員就可能偷懶，把明文的要求規定，加入主觀的偷懶經驗。這其實不單是發生在這次海難中，而是不斷會重複在各行各業中發生。這也是本文所要說的。

在木材船、鎳礦船及這次車客船的海難中，並沒有發現新的問題，人不斷在前人所犯的錯誤中重複。真是令人惋惜！

最後，恭祝海運學會成立 30 週年，希望乘風破浪，對香港及中國海運事業做出貢獻。

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## CORRIGENDUM

In the 107 issuance of Seaview, the corrected authors' names are Dr. Douglas Bulloch and Mr. Jonathan Silver of the article "ICSHK Column - Ship Lease Finance".

We apologize for the incorrectness made in the printed version, and inconvenience caused.

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# Recent Chinese Tax Changes Affecting The Shipping Industry

*Rory Macfarlane / Paul Ho / Nick Shepherd / Paul Herring*

On 1 August 2014, the “Provisional Measures on the Collection of Tax on Non-Resident Taxpayers Engaged in International Transportation Business” (2014 No.37 Notice, the “New Regulations”) came into force. The New Regulations could have a significant impact on owners as they seek to streamline and tighten up the regulations in respect of tax obligations on “non-resident taxpayers” engaged in “international transportation business”.

The main aspects of the New Regulations are summarised briefly below.

## **Scope of “international transportation business” and “non-resident taxpayers”**

Under the New Regulations, “international transportation business” includes the carriage of cargo and passengers in and out of Chinese ports by non-resident companies through vessels, charter slots and aircraft. The chartering of ships on voyage charters or time charters (and leasing aircraft out on a wet lease basis) for income generation from such activity are now classified as “international transportation business”.

Any non-resident companies that earn income from international transportation business, as defined in the New Regulations, are potentially subject to PRC corporate income tax (“CIT”).

## **Tax registration**

Under the New Regulations, non-resident companies that engage in international transportation business are required to register with one of the PRC local tax authorities within 30 days of the conclusion of the charter and the New Regulations set out detailed rules and procedures regarding tax registration.

Non-resident companies may complete tax registration either by themselves or by their appointed local agents and can choose one tax authority to complete all filings for calls at all PRC ports.

## **“Appointed” withholding agents**

If the non-resident taxpayer fails to register and pay tax voluntarily, the PRC authorities can appoint the Chinese contract counterpart, amongst others, as the withholding agent of the non-resident taxpayer and require such agent to withhold the tax before making payment to the non-resident taxpayer.

## **Calculation of taxable income**

Non-resident taxpayers that have completed tax registration in China must establish and maintain records and accounts in accordance with PRC tax laws and rules to properly calculate the taxable income.

Taxable international transportation income is calculated by deducting “deductible expenses” from the gross revenue earned from the carriage of cargo and passengers. Deductible expenses comprise the reasonable expenses actually incurred to earn the revenue received.

For non-resident companies that cannot accurately calculate their taxable income, the tax authority will apply a “deemed profit ratio” to the gross income to calculate the taxable income. Previously, the “deemed profit ratio” was set at 5% of the total income earned for carrying cargo or passengers from China. Under the New Regulations, the “deemed profit ratio” shall range from 15% to 50% of the gross income earned carrying cargo or passengers in and out of Chinese ports. The CIT rate (25%) will then be applied to the taxable income in order to calculate the tax payable.

### **Double Taxation Agreements (“DTA”) and Shipping Income Agreements (“ISA”)**

The New Regulations also set out detailed procedures for non-resident taxpayers to apply to the PRC tax authorities for exemption/benefits under any applicable double taxation treaties between their place of tax residency and China. A failure to comply with the required registration procedures could result in an owner being denied tax relief under a DTA or ISA.

The requirements include a tax residency certificate issued by the country of which the relevant DTA or ISA is applied.

### **Observations**

As a result of the clarification that “international transportation business” includes carriage of cargo and passengers both in and out of Chinese ports as explained above, there is the potential for an increase in the tax payable by non-resident owners. However, it is not clear how the taxable income will be calculated in the complicated context of international shipping. For freight earned from a single voyage in respect of cargo to/from China, there may be little doubt that the voyage falls within the scope of “international transportation business” under the New Regulations. However, things become complicated with, for example, long term time charters under which the ship occasionally calls at Chinese ports and questions then arise as to whether and to what extent hire earned under the time charter will be considered as income earned from the “international transportation business” and what expenses fall within the scope of “deductible expenses” under the New Regulations.

The New Regulations are in their infancy. There is at present uncertainty surrounding their scope and the extent to which and manner in which they will be enforced. There is a risk that different local tax authorities will apply the New Regulations differently. What does seem clear is that they serve as a signal that the Chinese tax authorities intend to tighten up the regulations regarding income tax payable by non-PRC resident companies that engage in international transportation business that includes the provision of services within Chinese territorial waters.

Consequently, the New Regulations are likely to have a significant potential impact on owners with vessels chartered to Chinese counterparts. Such owners will need to seek advice quickly on their registration obligations and the extent to which they might be able to avoid or reduce their tax exposure by complying with the registration and documentary requirements to trigger any applicable double-taxation treaties.

For future contracts with Chinese counterparts, owners should carefully review the tax clause to ensure that it adequately protects the owners from being required to pay Chinese corporate income tax and also turnover tax (i.e. VAT). Significant tax reforms were introduced from 1 August 2013 that added transportation activities into the chargeable scope of VAT at the rate of 11% or 17%, depending upon the type of transportation service performed within China. Whereas CIT is payable on taxable income, VAT is calculated by reference to the gross revenue.

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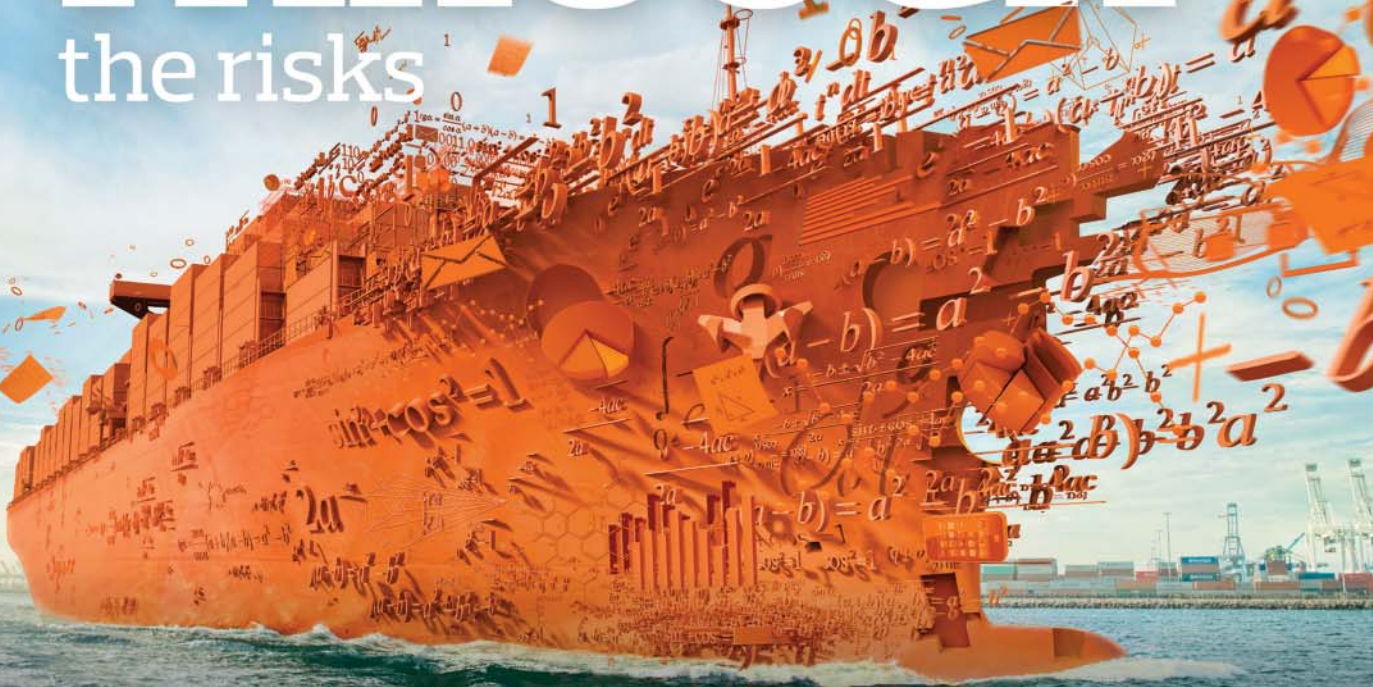
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