

MARINE DEPARTMENT NOTICE NO. 8 OF 2007

(Statutory Requirements and Related Information)

Authorization of Surveyors and Recognition of Authorities for carrying out Approval of Plans and Surveys of Local Vessels under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548)

The attention of all shipowners, agents, coxswains, persons-in-charge of local licensed vessels and persons eligible to become surveyors authorized for the purposes of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) is drawn to the alternative survey arrangement for local vessels under the said Ordinance, which has commenced operation on 2 January 2007.

Authorization of Surveyors and Recognition of Authorities

2. Under section 7(1) of the Ordinance, the Director of Marine may authorize in writing a person, or a person belonging to a class of persons, who is not a public officer to be a surveyor for the purposes of the Ordinance, subject to such conditions that may be specified in the authorization. To be eligible for authorization as an “Authorized Surveyor”, a person has to satisfy the following criteria:

- (a) (i) being a Registered Professional Engineer (Marine and Naval Architecture discipline) registered under the Engineers Registration Board Ordinance (Cap 409); or
- (ii) a surveyor employed and nominated by a recognized classification society (i.e. Authorized Organization), and
- (b) has met the qualification and experience requirements as specified by the Director.

3. Any person who can meet the above eligibility criteria and has the intention to apply for the authorization may obtain detailed application information from the Local Vessels Safety Section or the Marine Department website. Application submission including the required supporting documents should be sent to the address stated in paragraph 12 below. Under normal circumstances the applicant would be notified of the outcome of application within two weeks.

4. In addition to the authorization of surveyors/organizations, under section 7A(1) of the Ordinance, the Director of Marine may also recognize government authorities for the purpose of the Ordinance. At present Marine Department is carrying out the necessary steps for the recognition of the Guangdong Maritime Safety Administration of PRC for approval of plans and surveys on Class II vessels, and the Register of Fishing Vessels of PRC for similar works on Class III vessels.

5. It is expected the list of the first batch of authorization and recognition will be ready within one to two months’ time after the commencement date and promulgated in the Marine Department Notice. Such list of Authorized Surveyors/Organizations and Recognized Authorities will be updated from time to time as appropriate and displayed on the Marine Department website (see paragraph 12 below). The updated list can also be obtained from the Local Vessels Safety Section.

Approval of Plans and Survey Arrangement

6. Upon authorization or recognition, the Authorized Surveyors/Organization and Recognized Authorities may undertake the approval of plans and surveys or inspections of specific classes, types and categories of local vessels in accordance with the scope of services specified under their individual authorization or recognition. In general, such classes, types and categories of local vessels include:

- (a) Class II vessels except oil carriers and vessels carrying dangerous goods or noxious substances,
- (b) Class III vessels;
- (c) Class IV vessels licensed to carry not more than 60 passengers and intending to engage in letting for hire or reward.

7. Owners of afore-mentioned local vessels would then have a choice to engage those Authorized Surveyors/Organizations or Recognized Authorities to conduct plan approval and surveys for their vessels in addition to Marine Department officers.

8. To ensure a smooth transition and satisfactory standard of surveys, the different classes, types and categories of local vessels and the types of surveys that can be conducted by Authorized Surveyors, Organization and Recognized Authorities would be put in phases over a 3-year period. The details of such plan approval and survey arrangement are attached at Annex 1 and 2.

9. To engage an Authorized Surveyor / Organization or a Recognized Authority to conduct the plan approval and statutory survey works on his vessel, the owner or his agent is required to complete a “Notice of Engagement” form (a copy is attached at Annex 3), which should be duly signed by the Authorized Surveyor/Organization or the Recognized Authority as indication of acceptance of engagement. The owner or his agent should, as soon as practicable after engagement, notify the Director by sending a copy of the completed “Notice of Engagement” form to the Local Vessels Safety Section.

10. After approval of plans, survey or inspection of a local vessel is satisfactorily carried out, the concerned Authorized Surveyor/Organization or Recognized Authority is required to issue a Declaration of Survey in a specified form with the necessary survey records for submission to Marine Department for assessment. If found satisfactory, Marine Department will issue the relevant certificate(s) to the vessel as appropriate. The “Notice of Engagement” form and “Declaration of Survey” form are obtainable from the Local Vessels Safety Section or the Marine Department website.

Audit Checks

11. Under section 7(4) or 7A(4) of the Ordinance, the Director of Marine may carry out an audit check on any survey carried out or plan approved by an Authorized Surveyor/Organization or Recognized Authority. During the first phase of authorization or recognition, Marine Department may carry out the audit check as part of the assessment mentioned in paragraph 10 above, prior to the issue of the relevant certificate to the vessel.

Enquires

12. For enquires, please contact the Local Vessels Safety Section, (Address: 23/F Harbour Building, 38 Pier Road, Central, Hong Kong) telephone number 2852 4431 or facsimile number 2542 4679. Relevant information can also be found on the Marine Department website at: <http://www.mardep.gov.hk>, under menu heading of “Public Services - Port Services - Local Vessels Safety”.

R. F. TUPPER
Director of Marine

Marine Department
Government of the HKSAR
Date: 16 January 2007
Action File: SD/S 800/3/1

Scope of Services

To carry out any surveys and to approve any plans in respect of Class II, III and IV vessels^(Note 1) of the following types and categories^(Note 2) other than high risk vessels^(Note 3) upon the respective commencement dates as indicated in the table below^(Note 6).

Class, Type or Category of Local Vessels		Initial Survey (Note 4)	Periodical Survey (Note 4)	Plan Approval (Note 5)
(a)	Class IV vessels licensed to carry not more than 60 passengers and intending to engage in letting for hire or reward (excluding those exceeded 150 gross tonnage or of novel construction)	1 st Phase	1 st Phase	1 st Phase
(b)	Class II (category-B) of type: dumb lighters and hopper barges	1 st Phase	1 st Phase	2 nd Phase
(c)	Class II (category-A) vessels and Class III (category-A) vessels	1 st Phase	1 st Phase	3 rd Phase
(d)	Class II (category-B) vessels and Class III (category-B) vessels	4 th Phase	4 th Phase	4 th Phase

Note: (1) ‘Class II, III or IV vessel’ has the same meaning as defined under the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap 548 sub leg).

(2) ‘types and categories’ refers to the types and categories as specified in columns 2 and 3 of Schedule 1 to the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap 548 sub leg).

(3) ‘High risk vessels’ in respect of Class II vessels means any oil carriers, dangerous goods carriers and noxious liquid substances carriers, and any vessels intended for carrying cargoes of a hazardous nature.

(4) ‘Initial Survey’ and ‘Periodical Survey’ are defined in the “Code of Practice – Safety Standards for Class I, II and III Vessels” and “Code of Practice – Safety Standards for Class IV Vessels”

(5) ‘Plan Approval’ means the plan in respect of a Local Vessel which is required to be approved by sections 7 to 14 of Part 3 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap 548 sub. leg.).

(6) ‘1st Phase’, ‘2nd Phase’, ‘3rd Phase’ and ‘4th Phase’ each represents the respective commencement dates as defined in Annex 2.

**Commencement Dates of Authorization of Services
in respect of Approval of Plans and Surveys of Local Vessels**

Stages	Commencement Date of Respective Phases	Class /Category/ Types of Vessels %	Type and Scope of Services [see Remark (a)]
<i>1st Stage [see Remark(b)(i)]</i>	1 st Phase: starting from the commencement date of the Ordinance (2 January 2007)	(1) Class II category –B for the type of Dumb lighter, Hopper barge	(i) New constructions / Initial surveys (including final inspection) in accordance with plans approved by MD (ii) All periodic surveys (including final inspections) (iii) All alteration surveys in accordance with plans approved by MD.
		(2) Class II category- A and Class III category- A (also known as WT+CL vessels and Steel /GRP fishing vessels)	(i) New constructions / Initial surveys (including final inspections) in accordance with plans approved by MD (ii) All periodical surveys (including final inspections) (iii)All alteration surveys in accordance with plans approved by MD.
		(3) Class IV vessels (see Remark (c))	Approval of Plans, Initial surveys, alteration surveys and periodical surveys (including final inspections) for issuance of Certificate of Inspection.
<i>2nd Stage [see Remark (b)(ii)]</i>	2 nd Phase: 6 months after the commencement date of the Ordinance (2 July 2007)	(1) Class II category - B vessels of Dumb lighter or Hopper barge type	All plan approval for new-built or vessels licensed in Hong Kong for the first time and alteration (existing vessels)
	3 rd Phase: 12 months after the commencement date of the Ordinance (2 January 2008)	(2) Class II category-A and Class III category- A (also known as WT+CL vessels and Steel /GRP fishing vessels)	All plan approval for new-built or vessels licensed in Hong Kong for the first time) and alteration (existing vessels)
	4 th Phase: 24 months after the commencement date of the Ordinance (2 January 2009)	(3) Class II category - B and Class III category- B (Also known as AT vessels)	All surveys and plan approval

Abbreviations :-

% = Except high risk vessels (as for Class II vessels means: Oil Carriers, Dangerous Goods Carriers, Noxious Liquid Substances Carriers or any vessels intended for carrying cargoes of hazardous nature).

LVO = Merchant Shipping (Local Vessels) Ordinance, Cap 548.

WT = Western Type vessels (including steel / Glass Reinforced Plastics GRP hull cargo or fishing vessels, tugs and transport/ work boats carrying less than 12 passengers etc. Under LVO, these are Class II category- A and Class III category A vessels.)

CL = Classed cargo vessels of WT (including those dry cargo vessels transporting v not more than 12 passengers, carriage of petroleum products, dangerous goods or noxious liquid substances etc. Statutory survey of this type of vessels would be only on construction survey and relevant plan approval, which are the present practices for many years. Under LVO, these are Class II category A vessels.)

AT = Asiatic Type (including wooden hull dry cargo or fishing vessels/sampans, dumb-lighters and hopper barges, transportation boats and GRP fishing sampans/vessels. Under LVO, some of these vessels are Class II category B and Class III category B.)

Remarks

- (a) For licensed vessels having their initial surveys or periodic surveys conducted outside Hong Kong by the Competent Surveyors[#], during the 1st Phase the Director may require to conduct 100% audit inspections on such vessels before Certificates of Survey or other relevant certificates are issued. The percentage of audit inspections may be reduced in other Phases. Based on experience gained and practical situation, the Director may adjust the above arrangement as appropriate, and review within the period in 4th Phase.
- (b) (i) Other than Class IV vessels indicated in remark (c), in the 1st stage, plan approval for new-built or vessels licensed in Hong Kong for the first time are required to be conducted by Marine Department. Owners may choose to apply to Marine Department or engage an Authorized Surveyor, Authorized Organization or a Recognized Authority for conducting the on-site initial survey.
- (ii) In the 2nd stage, owners of vessels referred in (i) above may also engage an Authorized Surveyor, Authorized Organization or a Recognized Authority to conduct plan approval for their vessels. The Director may audit plans approved by any Authorized Surveyor, Authorized Organization or a Recognized Authority and may carry out audit inspections as necessary.
- (c) (i) Class IV vessels in this Appendix refers to Class IV vessels that are (to be) licensed to carry not more than 60 passengers and intending to engage in letting for hire or reward (excluding those exceeding 150 gross tonnage or novel type). A Certificate of Inspection will be issued directly by an Authorized Surveyor or Authorized Organization after satisfactory completion of necessary survey and final inspection.
- (ii) A 12 months grace period is allowed as transitional arrangement for owners of these vessels to obtain the Certificates of Inspection as indicated in paragraph 3 in Schedule 8 of section 88 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation. However, owners are advised to ensure safety of their vessels, and to arrange plan approval, inspection and certification before the grace period is expired.

[#] “Competent Surveyors” has the same meaning given in section 2 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (i.e. refers to an Authorized Surveyor (or surveyor nominated by an Authorized Organization); or a Recognized Authority).

Notice of Engagement
Authorized Surveyor/ Authorized Organization /Recognized Authority
for Survey and/or Plan Approval of Local Vessels
(Merchant Shipping (Local Vessels) Ordinance, Cap 548)

PART A

(to be completed by Owner / Owner's Agent)

To : Marine Department (MD)
Local Vessels Safety Section, HKSAR

Fax No.: (852) 2542 4679

Particulars of Vessel: *[All available data should be entered]*

Name of Vessel..... Name of owner

Certificate of Ownership number..... Approval in Principle number.....

Class Category Type

Length Overall (m)..... Length (L) (m)..... Extreme Breadth (m). Hull Material.....

Gross Tonnage..... Net Tonnage..... Length Overall x Extreme Breadth numeral (m²).....

- (1) I, _____, Owner / Owner's Agent* of the local vessel as described above, hereby engage _____, being an Authorized Surveyor / Authorized Organization / Recognized Authority* under the Ordinance, to conduct Plan Approval / Initial Survey / Periodical Survey* for subject vessel for the issue of the following certificate(s) or document :

[Please tick in the relevant box(es)]

- (a) Certificate of Survey;
- (b) Survey Record of Safety Equipment / Cargo Ship Safety Equipment Certificate (with equipment record) ^(Note)*;
- (c) Freeboard Assignment Certificate / Hong Kong Load Line Certificate / International Load Line Certificate ^(Note)* ;
- (d) Survey Record of Tonnage Measurement / International Tonnage Certificate ^(Note)* .

and to issue appropriate declarations upon completion of the survey. The surveyor work is expected to commence on _____.

- (2) To facilitate the conduct of the above requested survey, I declare that:
- (a) I will pass all relevant previous survey records, certificates and approved drawings (where applicable) to the above Authorized Surveyor / Authorized Organization / Recognized Authority* ; or
- (b) I will need MD's assistance to release the relevant records of the vessel relating to previous surveys to the above Authorized Surveyor / Authorized Organization / Recognized Authority*, since the vessel was not surveyed by him / it* previously;
- (c) Alteration has been made to the above vessel since last survey(s) and related plan(s) has been approved;
- (d) Alteration will be made to the above vessel and plan(s) approval is required.

(3) Apart from the required certificate(s) or document(s) in (1) above, I understand that the following certificates or documents are also applicable to and has already been issued or will require to be issued to the above vessel:

	<u>has been issued</u>	<u>required to be issued</u>
(a) Exemption Certificate / Permit for alternative material or equipment (issued by MD only)*	<input type="checkbox"/>	<input type="checkbox"/>
(b) Survey Record of Tonnage Measurement / International Tonnage Certificate ^{(Note) *}	<input type="checkbox"/>	<input type="checkbox"/>
(c) Freeboard Assignment Certificate / Hong Kong Load Line Certificate / International Load Line Certificate ^{(Note) *}	<input type="checkbox"/>	<input type="checkbox"/>
(d) Hong Kong Oil Pollution Prevention Certificate / International Oil Pollution Prevention Certificate ^{(Note) *}	<input type="checkbox"/>	<input type="checkbox"/>
(e) Hong Kong Air Pollution Prevention Certificate / International Air Pollution Prevention Certificate ^{(Note) *} <i>(applicable when relevant legislation is in force)</i>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Others (such as Survey Record of Inspection for Cement Tank, Air Receiver, Material or Equipment Test, etc.)*	<input type="checkbox"/>	<input type="checkbox"/>

Remarks or additional information (if any):

Signature of Owner/ Owner's Agent * _____
 Name (in block letter): _____ Date : _____
 Tel. No. : _____ Fax. No.: _____

(Note): The indicated International Convention certificates may be issued by recognized classification societies directly to the owner, together with survey records in accordance with the requirements of the relevant Convention. A copy of such certificate and record is required to be submitted to Marine Department for the issue of the Certificate of Survey.

* Delete where not applicable

PART B

(to be completed by Authorized Surveyor/Authorized Organization/Recognized Authority)

To : Owner of the vessel,

I, the undersigned, acknowledge and accept the above engagement.

Remarks or additional information (if any):

Signature of Authorized Surveyor / Authorized Organization (AO) / Recognized Authority (RA)* Representative: _____

Name of Authorized Surveyor / AO or RA Representative (in block letter): _____

Name of AO or RA: _____ Date : _____

Tel. No. : _____ Fax. No.: _____

Note: (1) Upon acceptance of engagement and signing of Part B, a copy of the full engagement form shall be faxed to Marine Department. The original of the form shall be retained by the owner while the Authorized Surveyor/ Authorized Organization / Recognized Authority shall retain a copy as record.

(2) For vessel requires the "Minimum Safe Manning Document", it is obtainable form Marine Department upon application.

* Delete where not applicable