

**Marine Department Notice No. 109 of 2007**

(Statutory Requirements and Related Information)

**Replacement of former exemption certificates issued under Cap. 313**

NOTICE IS HEREBY GIVEN THAT former exemption certificates issued under the Shipping and Port Control Ordinance (Cap. 313) to certain Class VI (M6) or Class IV (M9) fishing vessels and pleasure vessels, which exempted them from the requirements of Regulation 48A of Cap. 313F or Regulation 7(1) of Cap. 313G to have appropriate certified master/engineer onboard and in charge of the vessel/its machinery, are no longer valid as these regulations have been repealed upon the commencement of the Merchant Shipping (Local Vessels) Ordinance Cap. 548. To allow the concerned vessels to continue to enjoy the exemption, owners of such vessels may apply to replace the obsolete exemption certificates by equivalent exemption certificates issued under Cap. 548.

2. Upon the implementation of Cap. 548 on 2 January 2007, Class VI (M 6) and Class IV (M 9) fishing vessels licensed under Cap. 313 have been re-classed as Class III vessels under Cap. 548. Those fishing vessels that have previously obtained exemption certificates as specified in Column 2 of Schedule 1 attached to this notice will be eligible to equivalent exemption as specified in Column 3 of the same Schedule. Similarly, for those pleasure vessels that have previously obtained exemption certificates as specified in Column 2 of Schedule 2, they will be eligible to equivalent exemption as specified in Column 3 of that Schedule.

3. In considering that the need for replacement of former exemption certificates is a consequence of the changes outlined above, the fee for the issue of equivalent exemption certificates as required under section 28(c) of the Merchant Shipping (Local Vessels)(Fees) Regulation (Cap. 548J) will be waived.

4. All applications for the replacement of exemption certificate should be made to the Seafarers' Certification Section, Marine Department, 3/F Harbour Building, 38 Pier Road, Central, Hong Kong. For enquiries, please call 2852 4941.

R. F. TUPPER  
Director of Marine

Marine Department

Government of HKSAR

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Action File: SD/CRT 782/2 Pt. 4

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**Schedule 1 - Equivalent exemption to be issued under  
the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) for Class III vessels**

<b>Item</b>	<b>Former exemption issued to local fishing vessels under the Shipping and Port Control Ordinance (Cap. 313)</b>	<b>Equivalent exemption to be issued under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548)</b>
1	<p><u>For Class VI (M 6) or Class IV (M 9) Fishing Vessels only</u></p> <p>The vessel is exempted from the requirement of Regulation 48A of Cap. 313F that there is on board and in charge of the machinery of a vessel while underway a person who is the holder of an appropriate and valid local certificate of competency as engineer</p> <p><u>Conditions</u></p> <ol style="list-style-type: none"> <li>1) The machinery of the vessel, at all times when underway, is in the charge of a person who is the holder of a valid Grade 2, 3 or 4 of Type A (Restricted Waters) Fishery Vessel Officer's Certificate as Chief Engineer. Such recognized certificate is to be issued by the Bureau of Fisheries Management and Fishing Port Superintendence People's Republic of China and signed by the Bureau of Fishing Port Superintendence of Guangdong, PRC; and</li> <li>2) The aggregate main propulsion power of the vessel shall be within the range limited by the above-mentioned certificate.</li> </ol>	<p><u>For Class III "Guangdong/Hong Kong mobile fishing vessels" only</u></p> <p>The vessel is exempted from the requirement of Section 47(1) (b) of Cap. 548D that there is on board and in charge of the engines of the vessel while underway a person who is the holder of a local certificate of competency as an engine operator appropriate for the total propulsion power of the engines of the vessel, or any equivalent certificate specified in the Local Certificate of Competency Rules</p> <p><u>Conditions</u></p> <ol style="list-style-type: none"> <li>1) This exemption certificate must be kept on board the vessel for the inspection of authorized officers; and</li> <li>2) The engines of the vessel, while the vessel is underway, are in the charge of a person who is the holder of a valid Grade 2, 3 or 4 of Type A (Restricted Waters) Fishery Vessel Officer's Certificate as Chief Engineer. Such recognized certificate is to be issued by the Bureau of Fisheries Management and Fishing Port Superintendence People's Republic of China and signed by the Bureau of Fishing Port Superintendence of Guangdong, PRC; and</li> <li>3) The total propulsion power of the engines of the vessel shall be within the range limited by the above- mentioned certificate.</li> </ol>

**Schedule 2 - Equivalent exemption to be issued under  
the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) for Class IV (pleasure) vessels**

Item	<b>Former exemption issued to pleasure craft under the Shipping and Port Control Ordinance (Cap. 313)</b>	<b>Equivalent exemption to be issued under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548)</b>
1	<p><u>For pleasure craft only</u></p> <p>The vessel is exempted from the requirement of Regulation 7 (1) of Cap. 313G that there is on board and in charge of the vessel while underway a person who is the holder of an appropriate and valid local certificate of competency as master of a pleasure vessel.</p> <p><u>Conditions</u></p> <p>The named holder of a former local certificate of competency as master of a fishing vessel (without restriction) is in charge of the vessel when underway.</p>	<p><u>For Class IV (pleasure) vessels only</u></p> <p>The vessel is exempted from the requirement of Section 47 (4) of Cap 548D that there is on board a person in charge of the vessel who is the holder of a local certificate of competency as a pleasure vessel operator, or any equivalent certificate as specified in the Local Certificate of Competency Rules.</p> <p><u>Conditions</u></p> <ol style="list-style-type: none"> <li>1) This exemption certificate must be kept on board the vessel for the inspection of authorized officers; and</li> <li>2) The same named holder of a former local certificate of competency as master of a fishing vessel (without restriction) issued under Cap. 313 is on board and in charge of the vessel; and</li> <li>3) Another person holding any former pleasure vessel engineer certificate of competency issued under Cap. 313, or equivalent certificate, is on board and in charge of the engines of the vessel while underway.</li> </ol>
2.	<p><u>For pleasure craft only</u></p> <p>The vessel is exempted from the requirement of Regulation 7 (1) of Cap. 313G that there is on board and in charge of the machinery of the vessel while underway a person who is the holder of an appropriate and valid local certificate of</p>	<p><u>For Class IV (pleasure) vessels only</u></p> <p>The vessel is exempted from the requirement of Section 47 (4) of Cap 548D that there is on board a person in charge of the vessel who is the holder of a local certificate of competency as a pleasure vessel operator, or any equivalent certificate as specified in the Local</p>

	<p>competency as engineer of a pleasure vessel.</p> <p><u>Conditions</u></p> <p>The named holder with valid local certificate of competency as engineer of a fishing vessel (without restriction) is on board and in charge of the machinery of the vessel while underway</p>	<p>Certificate of Competency Rules.</p> <p><u>Conditions</u></p> <ol style="list-style-type: none"> <li>1) This exemption certificate must be kept on board the vessel for the inspection of authorized officers; and</li> <li>2) The same named engineer specified in the exemption certificate is on board and in charge of the machinery of the vessel while underway; and</li> <li>3) When operating any pleasure vessel, the certificate holder is required to operate the vessel with another person who is a holder of a former Pleasure Vessel Master Grade I, or equivalent; or when operating a pleasure vessel of not more than 15m, the certificate holder is required to operate the vessel with another person who is a holder of a former certificate known as Pleasure Vessel Master Grade II, or equivalent.</li> </ol>
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