

MARINE DEPARTMENT NOTICE NO. 129 OF 2007

(Statutory Requirements and Related Information)

Updated Arrangements in the Recognition of PRC Fishery Vessel Officer's Certificates for the Operation of "Guangdong/Hong Kong Mobile Fishing Vessels" under The Merchant Shipping (Local Vessels) Ordinance (Cap. 548)

This Notice supersedes Marine Department Notice No. 169 of 2005 and serves to inform owners, operators and crew of Class III fishing vessels, fish carriers or fishing sampans holding valid Guangdong/Hong Kong/Macau Mobile Fishing Vessel Registration Books issued by the PRC Public Security and Border Patrol Department (hereinafter referred as "Guangdong/Hong Kong mobile fishing vessels") of the updated arrangements in the recognition of PRC Fishery Vessel Officer's Certificates for the operation of their vessels.

2. Following the implementation of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548 and its subsidiary regulations on 2 January 2007, the previous arrangements in the recognition of Fishery Vessel Officer's Certificates issued by the Bureau of Fishing Port Superintendence of Guangdong, the People's Republic of China (hereinafter referred as the "recognized authority") for the operation of M6 and M9 fishing vessels under the Shipping and Port Control Ordinance, Cap. 313 are no longer applicable. To continue the recognition, new arrangements have been made under the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulations, Cap. 548D. The details of the updated arrangements are listed below:-

(i) Issue of Hong Kong Coxswain and Engine Operator Certificates to Hong Kong Resident holding Recognized PRC Fishery Vessel Officer's Certificates –

A Hong Kong resident holding a Grade 2, 3 or 4 of Type A (Restricted Waters) Fishery Vessel Officer's Certificate as master or chief engineer (hereinafter referred as the "recognized certificate") issued by the "recognized authority" is eligible, upon application, for the issue of a Coxswain Grade 3 Certificate or an Engine Operator Grade 3 Certificate, as appropriate, restricted to operate "Guangdong/Hong Kong mobile fishing vessels" only. Such local certificates of competency will expire on the same expiry date as the "recognized certificates". A table showing the corresponding tonnage/length/power limits of the Hong Kong certificates that will be issued against the different grades of "recognized certificates" is shown in the annex of this Notice.

(ii) Issue of Exemption Certificate for Engine Operator holding a Recognized Certificate –

Owner of a “Guangdong/Hong Kong mobile fishing vessel” may apply to the Marine Department for the issue of an exemption certificate to permit a person holding a “recognized certificate” as chief engineer to take charge of the engines of the vessel with total power equals to or below that limited by the “recognized certificate”. If such a person is not a Hong Kong resident, he/she shall also comply with other applicable legal requirements for working onboard the vessel within Hong Kong waters, and his/her working place shall be restricted to the vessel to which the exemption certificate is issued.

(iii) Status of Former Hong Kong Local Certificates of Competency as Master and Engineer of Fishing Vessel –

The local certificates of competency as master or engineer of a fishing vessel issued previously under the Shipping and Port Control Ordinance, Cap. 313 are recognized as equivalent certificates under the Merchant Shipping (Local Vessels) Ordinance, Cap. 548. Holders of these Hong Kong certificates are not required to apply for new certificates if they are only operating “Guangdong/Hong Kong mobile fishing vessels”.

(iv) Replacement of Previous Exemption Certificate for Engineer Issued under the Shipping and Port Control Ordinance, Cap. 313 –

Previous exemption Certificates issued to “M6” and “M9” fishing vessels permitting the holders of a “Recognized Certificate” to work as engineer on such vessels under the Shipping and Port Control Ordinance, Cap. 313 have lapsed upon the implementation of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548. Vessel owners holding such exemption certificates may apply to the Marine Department for replacement of the exemption certificates under the new legislation free of charge.

3. Application for the above mentioned exemption or certificate shall be made to the Seafarers’ Certification Section of Marine Department, 3/F, Harbour Building, 38 Pier Road, Central, Hong Kong. A fee will be charged for the issue of a certificate or exemption as described in paragraph 2(i) or 2(ii) above. Telephone enquiry can be made to 2852 4941.

4. Owners, operators of “Guangdong/Hong Kong mobile fishing vessels” are also reminded that pursuant to section 50 of the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation, Cap. 548D, any person in charge of a local vessel fitted with a propulsion engine, including a “Guangdong/Hong Kong mobile fishing vessel”, while operating within Hong Kong waters shall carry onboard valid and relevant certificates, including any exemption certificate and “recognized certificate” as applicable, for inspection by the authorized officers. If these local vessels operate in Guangdong waters, they shall also comply with the minimum manning requirements of the “recognized authority”.

H. P. LIU
Director of Marine (Ag.)

Marine Department
Government of the HKSAR
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Table: Tonnage/Length/Power limits applied to Fishery Vessel Officer's Certificates issued by the Bureau of Fishing Port Superintendence of Guangdong, People's Republic of China

People's Republic of China Fishery Vessel Officer's Certificates			Applicable to Fishing Vessels In Mainland Waters	Applicable to Hong Kong Licensed Guangdong/Hong Kong Mobile Fishing Vessels In Hong Kong Waters
Types (Plying Zone)	Posts	Grades		
Type A (Restricted Waters)	Master	Grade 3	Fishing vessel less than 500 gross registered tonnage	Class III fishing vessel, fish carrier, or fishing sampan of length overall not more than 50 meters
		Grade 4	Fishing vessel less than 200 gross registered tonnage	Class III fishing vessel, fish carrier, or fishing sampan of length overall not more than 35 meters
	Chief Engineer	Grade 2	Fishing Vessel with total main propulsion engine power less than 3000 kW.	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 3000 kW.
		Grade 3	Fishing Vessel with total main propulsion engine power less than 750 kW.	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 750 kW.
		Grade 4	Fishing vessel with total main propulsion engine power less than 250 kW.	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 250 kW.