

MARINE DEPARTMENT NOTICE NO. 49 OF 2010

(Statutory Requirements and Related Information)

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

This Notice provides the updated information on the alternative survey arrangement for local vessels under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), which has commenced operation since 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 under the classification societies, who is not a public officer to be a surveyor for the purposes of the Ordinance, subject to the 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) and having his name in the registry established under section 7 of the Engineers Registration Ordinance (Cap 409); or
 - (ii) corporate (professional) membership of a maritime institute acceptable to the Director of Marine; or
 - (iii) a surveyor employed and nominated by a recognized classification society (i.e. Authorized Organization), and
- (b) has met the experience requirements as specified by the Director of Marine.

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. The application form including the required supporting documents should be sent to the Local Vessels Safety Section, (Address: 23/F Harbour Building, 38 Pier Road, Central, Hong Kong). Under normal circumstances, the applicant would be notified of the outcome of application within four weeks.

4. In addition to the authorization of surveyors/organizations, under section 7A(1) of the Ordinance, the Director of Marine has also recognized several government authorities for the purpose of the Ordinance. At present, Marine Department has recognized the Guangdong Maritime Safety Administration of PRC for the approval of plans and surveys on Class II vessels other than high risk vessels and the Register of Fishing Vessels of PRC for similar works on Class III vessels.

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5. The list of the authorization and recognition is promulgated on the Marine Department website. (http://www.mardep.gov.hk/en/pub_services/ocean/pdf/lvs_list.pdf)

Approval of Plans and Survey Arrangement

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

- (a) Class II vessels except high risk vessels;
- (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 (other than vessels of more than 150 gross tonnage or novel type).

7. Owners of the afore-mentioned local vessels would 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 engage an Authorized Surveyor/Organization or a Recognized Authority to conduct the plan approval and statutory survey works, the owner of the vessel or his agent is required to complete a “Notice of Engagement” form, which should be duly signed by the Authorized Surveyor/Organization or the Recognized Authority as an indication of acceptance of the engagement. The owner or his agent should, as soon as practicable after the engagement, notify the Director of Marine about the engagement by sending a copy of the completed “Notice of Engagement” form to the Local Vessels Safety Section.

9. After the 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 and submit to the Local Vessels Safety Section for assessment. If it is found satisfactory, the relevant certificate(s) will be issued to the vessel as appropriate. The “Notice of Engagement” form and “Declaration of Survey” form can be obtained from the following Marine Department website:

http://www.mardep.gov.hk/en/forms/pdf/lvs_noe.pdf and
<http://www.mardep.gov.hk/en/forms/home.html#localvess>

Audit Checks

10. 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.

Enquires

11. For enquiries, please contact the Senior Surveyor of Local Vessels Safety Section by telephone number 2852 4430 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 Services”.

12. All shipowners, agents, coxswains, persons-in-charge of local licensed vessels and persons eligible to become authorized surveyors should note the information in this Notice.

13. This Notice supersedes the Marine Department Notice No. 8 of 2007.

R. F. TUPPER
Director of Marine

Marine Department
Government of the HKSAR
Date: 7 April 2010
Action File: SD/S 800/3/1

Scope of Services

- I. **Authorized Surveyors** and **Authorized Organizations** are authorized to carry out surveys and approve plans of the following classes of vessels.

Initial Survey ^(Note3)	Periodical Survey ^(Note 3)	Plan Approval ^(Note 4)
Class II vessels ^(Note 1) other than high risk vessels ^(Note 2) , III and IV vessels ^(Note 1)		

- II. **Guangdong Maritime Safety Administration of the PRC** is recognized to carry out surveys and approve plans of the following class of vessels.

Initial Survey ^(Note3)	Periodical Survey ^(Note 3)	Plan Approval ^(Note 4)
Class II vessels ^(Note 1) other than high risk vessels ^(Note 2) only		

- III. **Register of Fishing Vessels of the PRC** is recognized to carry out surveys and approve plans of the following class of vessels.

Initial Survey ^(Note3)	Periodical Survey ^(Note 3)	Plan Approval ^(Note 4)
Class III vessels ^(Note 1) only		

Notes

- (1) 'Class II or III or IV vessel' has the same meaning as defined under the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap 548 sub leg D)
- (2) 'high risk vessels' in respect of Class II vessels means oil tankers, dangerous goods carriers, noxious liquid substances carriers, and any vessels intended for carrying cargoes of hazardous nature
- (3) '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'
- (4) 'Plan Approval' means the approval of any plan in respect of a Local Vessel which is required to be approved by sections 7 to 14 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap 548 sub leg G)

Remarks

- (i) Class IV vessels in this Annex 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 approval of plans, survey and final inspection.
- (ii) The scope of services also includes plan approval and surveys for the modification of Class II (other than high risk vessels), III & IV local vessels.