

## **Frequent Asked Questions (FAQs)**

### **Cargo Ships Safety Section**

1. [How can I obtain the emergency services outside office hours?](#)

Please refer to our HK Merchant Shipping Information Note (HKMSIN) No. 36/2009 (<http://www.mardep.gov.hk/en/msnote/pdf/msin0936.pdf>) for the contact point after office hours.

2. [Which section in the Marine Department may handle my enquiry?](#)

To save your time and get the answer from the right office, you may view our organization chart and then browse the chart box for the functions of the division, branch and section (<http://www.mardep.gov.hk/en/aboutus/dept.html>). The contact details of their offices can be found in this link (<http://www.mardep.gov.hk/en/aboutus/qckconnect.html>).

3. [What should my company do if my ship is under-manned?](#)

Due to whatever reasons, if a ship is shortage of any officer &/or rating that the rank and/or number as required in the Minimum Safe Manning Certificate (MSMC), the shipowner, ship manager or ship master shall notify Cargo Ships Safety (CSS) Section as earliest possible (fax: (+852) 2545 0556 or email: "ss\_css@mardep.gov.hk") with the grounds of under-manned, the name of the crew, his rank and particulars. CSS Section will issue dispensation for 28 days maximum if the application is justifiable. The shipowner or ship manager must arrange replacement within 28 days as no further extension will be granted.

Dispensation will never be granted for a master or a chief engineer officer except in circumstances of *force majeure* in accordance with STCW Article VIII.

4. [What should my company do if my ship's statutory certificates will shortly overdue whereas the Classification Society is not able to attend survey?](#)

All ships shall complete their statutory surveys, audits and certifications before the

specified expiry date. Sufficient lead time including operational and trading area factors should also be taken into account when planning the statutory work. In case extension of such survey/audit is exceptionally required, the shipowner or the ship manager shall keep on arranging the relevant Classification Society to attend the survey/audit at the first instance. In addition, the advice and recommendation from the Class shall be sought before the shipowner or ship manager make an application for extension. Relevant document, Classification Society's recommendations/advice, evidence, plan of the remedial actions and measures to prevent the reoccurrence that justify the extension are to be submitted with the application to Cargo Ships Safety Section, fax: (+852) 2545 0556 or email "ss\_css@mardep.gov.hk" for considerations.

5. What should my company do if my ship's structure is damaged or essential equipment is failure and permanent repair cannot be carried out in a short period?

ISM Code 8, 9 and 10 stipulates that company's safety management system shall include policy and procedures for proper maintenance to the ship and her equipment. Procedures for emergency preparedness and corrective action shall also be available.

As long as the ship's structure is damaged or an essential equipment is inoperative, the ship manager or the ship master should identify the cause and arrange alternative measures to make up the failure. If such deficiency cannot be made good in a short period and exemption/dispensation is required, the ship manager should seek the Classification Society's advice, and apply to Cargo Ships Safety Section, fax: (+852) 2545 0556 or email "ss\_css@mardep.gov.hk", together with relevant document, Classification Society's recommendations/advice, evidence and action plan. If necessary, a survey by the Class is to be carried out and the recommendations are to be complied with. The CSS Section will consider the application on a case by case basis, depending on the seriousness, ship's condition, temporary measures taken, time span of repair, remedy actions etc.

The ship manager shall close monitor the remedial action until the permanent repair is completed.

Attention is also drawn for Paragraph 2.6.7 of PSC Procedures "IMO Res. A.787(19)" as amended which specifies that no detention should be issued if the grounds for detention are resulted by accidental damage suffered on ship's voyage.

Consequently, the ship master shall notify the local port Authority (and the pilot if necessary) about the deficiency before entry of the port and carry out the relevant measures to avoid detention due to such failures.

Para 2.6.7 of IMO A.787(19) is reproduced for easy reference:

*“Where the grounds for detention are the result of accidental damage suffered on the ship's voyage to a port, no detention order should be issued, provided that:*

- .1 due account has been given to the Convention requirements regarding notification to the flag State Administration, the nominated surveyor or the recognized organization responsible for issuing the relevant certificate;*
- .2 prior to entering a port, the master or company has submitted to the port State authority details on the circumstances of the accident and the damage suffered and information about the required notification of the flag State Administration;*
- .3 appropriate remedial action, to the satisfaction of the port State authority, is being taken by the ship; and*
- .4 the port State authority has ensured, having been notified of the completion of the remedial action, that deficiencies which were clearly hazardous to safety, health or environment have been rectified.”*

6. What should my company do if maintenance and servicing of my ship's critical equipment will shortly be overdue (and is not able to arrange such services in time)?

IMO Conventions and guidance require that the ship's equipment shall be periodically serviced and maintained in good and operative condition. The ship manager has responsibilities to ensure such services and maintenances are properly carried out before the due date. Sufficient lead time including operational and trading area factors should also be taken into account when planning the servicing work.

In case it is anticipated overdue that beyond the control of the shipowner and ship manager, the shipowner or the ship manager should seek the Classification Society's attention for advice, and apply to Cargo Ships Safety Section, fax: (+852) 2545 0556 or email “[ss\\_css@mardep.gov.hk](mailto:ss_css@mardep.gov.hk)” for extension, together with relevant document, Classification Society's recommendations/advice, evidence, action plan and measures to prevent the reoccurrence. If necessary, a survey by the Class is to be carried out and the recommendations are to be complied with. The CSS Section will consider the application on a case by case basis, depending on the seriousness,

ship's condition, temporary measures taken, time span of extension, remedy actions etc. Delay due to commercial reason shall not be considered by this Administration.

7. What should my company do if my ship needs to apply exemption from IMO requirements?

Approval for any exemption from any mandatory requirement can only be dealt with by this Administration. Shipowner or ship manager should firstly contact the ship's Classification Society and get their support and recommendation before the application (Cargo Ships Safety Section, fax: (+852) 2545 0556 or email "ss\_css@mardep.gov.hk"). This Administration will examine the application and see if exemption can be granted. An interim Exemption Certificate will be issued by the relevant section of this Administration if the application is justified. Before expiry of the certificate, the Classification Society should be approached for issuance of subsequent certificate. Please refer the Merchant Shipping Information Note No. 32/2009 for details ("<http://www.mardep.gov.hk/en/msnote/msin.html>").

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Cargo Ships Safety Section

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