

Appendix

FLAG STATE PERFORMANCE SELF-ASSESSMENT FORM

All questions relate to merchant ships flying the flag of the State concerned

(Report as at 31.12.2008)

GENERAL	
<p>1 Name of State/Associate Member <i>List the Administrations which you represent at IMO (a separate assessment form should be completed for each. Include all flag States, including those which are not Member States of IMO but are Parties to IMO instruments).</i></p>	Hong Kong, China
<p>2 Name of contact person responsible for the completion of this form Name of Administration Address Telephone number Fax number E-mail address</p>	
<p>Answer: Mr. K.L. LEE Assistant Director Hong Kong Marine Department 38 Pier Road, Harbour Building, Central, Hong Kong Tel No.: (852) 2852 4404 Fax No.: (852) 3101 0026 Email: kl_lee@mardep.gov.hk</p>	
<p>3 Indicate to which of the following international instruments your State is a Party and which (optional) MARPOL 73/78 Annexes have been ratified.</p>	
<p><i>SOLAS 74</i> <i>SOLAS Protocol 78</i> <i>SOLAS Protocol 88</i> <i>MARPOL 73/78</i> <i>Annex III</i> <i>Annex IV</i> <i>Annex V</i> <i>Annex VI</i> <i>LL 66</i> <i>LL Protocol 88</i> <i>TONNAGE 69</i> <i>COLREG 72</i> <i>UNCLOS</i></p>	<p>Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No</p>
<p>4.1 How many merchant ships of 100 gross tonnage and upwards, subject to the relevant instruments you indicated in question 3, are currently flying the flag of your State?</p>	<p>MS: 1361</p>

4.2	What is the total gross tonnage of merchant ships currently flying the flag of your State?	39,643,000
INTERNAL CRITERIA		
Legal framework		
5	Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:	
	.1 the construction, equipment and management of ships;	Yes / No
	.2 the prevention, reduction and control of pollution of the marine environment;	Yes / No
	.3 the safe loading of ships;	Yes / No
	.4 the manning of ships;	Yes / No
	.5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions?	Yes / No
6	Does your Administration have the necessary laws in force to ensure the provision of penalties of adequate severity to discourage violation of international instruments to which your State is a Party?	Yes / No
7	Does your Administration have the necessary laws in force to provide for ship inspections to ensure compliance with international maritime safety and pollution prevention standards to which your State is a Party?	Yes / No
8	Does your Administration have the necessary laws in force to take legal action against ships which have been identified as not being in compliance with the international instruments to which your State is a Party?	Yes / No
9	Does your Administration have the necessary laws in force to carry out the required casualty investigations?	Yes / No
Enforcement		
10	Does your Administration have an infrastructure, including personnel with appropriate technical expertise and experience, to:	Yes / No
	.1 identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements?	Yes / No
	.2 take action against ships flying the flag of your State which have been identified as not being in compliance with international maritime safety and pollution prevention requirements? - If yes, against how many such ships was action taken for each of the previous 5 years*?	Yes / No
Answer:	2004 2005 2006 2007 2008 0 ships 0 ships 0 ships 0 ships 0 ships Five-year rolling period = 0	
11	Did your Administration investigate detentions by port States of ships flying the flag of your State for each of the previous 5 years*? (see also question 28) - If yes, indicate how many such detentions were investigated.	Yes / No

<p>Answer: 2004 2005 2006 2007 2008 34 ships 49 ships 33 ships 46 ships 51 ships Five-year rolling period = 213 investigations.</p>	
<p>Recognized organizations acting on behalf of the Administration</p>	
<p>12 Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you indicate under question 3?</p>	
<p>Answer: American Bureau of Shipping Bureau Veritas China Classification Society Det Norske Veritas Germanischer Lloyd Korean Register of Shipping Lloyd's Register Nippon Kaiji Kyokai RINA S.p.A.</p>	
<p>13 When your Administration delegates authority to recognized organizations, does it follow resolutions A.739(18) and A.789(19) as minimum requirements, the requirements in SOLAS 74, regulation XI/1, and the analogous requirements in MARPOL 73/78 in any delegation of authority?</p>	<p>Yes / No</p>
<p>14 Has your Administration provided IMO with a copy of the formal agreement or equivalent legal arrangements with the recognized organizations listed in question 12</p>	<p>Yes / No</p>
<p>15 Indicate which survey and/or certification functions your Administration has delegated to the recognized organizations referred to in question 12.</p>	
<p>Answer: Surveys for the issue of: (a) Cargo Ship Safety Certificate; (b) Cargo Ship Safety Construction Certificate; (c) Cargo Ship Safety Equipment Certificate; (d) Cargo Ship Safety Radio Certificate; (e) International Oil Pollution Prevention Certificate; (f) International Pollution Prevent Certificates for the Carriage of Noxious Liquid Substance in Bulk; (g) Document of Compliance for Carriage of Dangerous Goods; (h) Certificate of Fitness for the Carriage of Liquefied Gases in Bulk; (i) International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk; (j) Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk; (k) International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk; (l) International Load Line Certificate; (m) Document of Authorization (Grain Loading); (n) *Document of Compliance (ISM); (o) *Safety Management Certificate (ISM); (p) International Ship Security Certificate; (q) International Tonnage Certificate; (r) International Sewage Pollution Prevention Certificate; (s) International Air Pollution Prevention Certificate; and (t) Exemption Certificate for cargo ships following the initial</p>	<p>* for cargo ships only</p>

Exemption Certificate issued by this Administration.																										
16	Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.																									
Answer:	The following survey and certification functions are carried out by this Administration: (a) survey for the issue of Passenger Ship Safety Certificate; (b) survey for the issue of Passenger High Speed Craft Safety Certificate; (c) Assessment for the issue of DOC and SMC for passenger ships under International Safety Management Code; (d) Issue of Exemption Certificate for passenger ships; (e) Issue of Minimum Safe Manning Certificate; and (f) Issue of initial Exemption Certificate for cargo ships.																									
17	Does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?	Yes / No																								
18	How does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?																									
Answer:	(a) A Flag State Quality Control (FSQC) system is exercised to verify and monitor the performance of the ROs who conduct surveys and certifications for HK ships on behalf of this Administration. The report of ROs' performance is uploaded to the website of this Administration annually. (b) Under the FSQC system, the ship whose quality is found to be deteriorating or suspect will be inspected by this Administration. (c) ROs and HK ships are required to rectify the deficiencies detected under the system.																									
19	How often does your Administration verify and monitor the work of recognized organizations acting on its behalf?	On a continuous basis																								
20	How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?	Not applicable																								
Casualty and incident investigation																										
21	Does your Administration have the means (financial and administrative) to ensure that thorough and prompt casualty and incident investigations into all cases of serious and very serious casualties, as defined in paragraphs 4.2 and 4.3 of the Annex to resolution A.849(20), are carried out?	Yes / No																								
22	For each of the previous 5 years*, for ships flying the flag of your State: .1 How many serious and very serious casualties were investigated? .2 How many such serious and very serious casualties were reported to IMO?																									
Answer:	.1 <table border="1" data-bbox="300 1888 1257 2033"> <thead> <tr> <th>Year</th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> </tr> </thead> <tbody> <tr> <td>No.of serious or very serious casualties investigated</td> <td>9</td> <td>9</td> <td>8</td> <td>8</td> <td>8</td> </tr> </tbody> </table> .2 <table border="1" data-bbox="300 2069 1257 2139"> <thead> <tr> <th>Year</th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> </tr> </thead> <tbody> <tr> <td>No. reported</td> <td>3</td> <td>5</td> <td>3</td> <td>2</td> <td>0</td> </tr> </tbody> </table>		Year	2004	2005	2006	2007	2008	No.of serious or very serious casualties investigated	9	9	8	8	8	Year	2004	2005	2006	2007	2008	No. reported	3	5	3	2	0
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23 Can your Administration provide to IMO, on request, evidence which shows that casualties and incidents on ships flying the flag of your State have been investigated?	Yes / No																																																												
24 For each of the previous 5 years*, has your Administration provided IMO with the mandatory annual reporting required by article 11.1(f) of MARPOL 73/78?	Yes / No																																																												
25 How many allegations of violations, according to article 4 of MARPOL 73/78, have been made against ships flying the flag of your State in each of the previous 5 years*?																																																													
<p>Answer: 2004 2005 2006 2007 2008 0 cases 0 cases 0 cases 0 cases 0 cases Five-year rolling period = 0</p> <p>.1 How many investigations or legal proceedings has your Administration carried out in the previous 5 years* in accordance with articles 4 and 6 of MARPOL? Answer: 2004 2005 2006 2007 2008 0 cases 0 cases 0 cases 0 cases 0 cases Five-year rolling period = 0</p> <p>.2 In how many cases did your Administration report back to the reporting State or to IMO in each of the previous 5 years*? Answer: 2004 2005 2006 2007 2008 0 cases 0 cases 0 cases 0 cases 0 cases Five-year rolling period = 0</p>																																																													
EXTERNAL CRITERIA																																																													
26 For each of the previous 5 years*, how many ships flying the flag of your State: .1 have been involved in serious or very serious casualties? .2 have become total losses or constructive total losses? .3 have caused severe pollution**? .4 What casualty rate per 1000 ships does this represent? .5 What is the total tonnage involved as a percentage of the total fleet?																																																													
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.5						
Year	2004	2005	2006	2007	2008	
Total tonnage involved as a percentage of the total fleet	0.47%	0.16%	0.15%	0.11%	0.35%	
27 In each of the previous 5 years*, how many lives have been lost: .1 in casualties involving ships flying the flag of your State? .2 due to occupational accidents (i.e. other than from casualties to ships) on ships flying the flag of your State? <i>NB - Includes: falls; boarding or disembarking; accidents on deck and in machinery spaces; deaths in enclosed spaces; but does not include: accidents ashore; homicide; suicide; or deaths from disease or natural causes.</i>						
Answer:						
.1						
Year	2004	2005	2006	2007	2008	
Persons lost their lives	5	1	0	11	3	
.2						
Year	2004	2005	2006	2007	2008	
Persons lost their lives	11	10	2	4	2	
28. 1 For each of the previous 5 years*, how many ships flying the flag of your State were detained, within the scope of SOLAS 74, MARPOL 73/78, LL 66 or COLREG 72, by port States?						
Answer:						
Year	2004	2005	2006	2007	2008	
Detentions	34	49	33	46	51	
Nos.of inspection	1846	2479	2544	2612	3545	
Detention rate	1.841%	1.977%	1.297%	1.761%	1.439%	
Five-year rolling average = 1.635 %						
28. 2 What detention rate per 1000 ship inspections does this represent? (see also question 11).						
Answer:						
Year	2004	2005	2006	2007	2008	
Detentions	18.41	19.77	12.97	17.61	14.39	
Five-year rolling average = 16.35						

* or from the date your Government became a Party to the relevant instrument, if that is later.

** "Severe pollution" is a case of pollution which, as evaluated by the coastal State(s) affected or the flag State, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.