

THE SELF-ASSESSMENT

OF FLAG STATE PERFORMANCE

HONG KONG, CHINA

1998 - 2002

FLAG STATE PERFORMANCE SELF-ASSESSMENT FORM

(in accordance with MSC/Cir.889)

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

GENERAL	
<p>1. Name of State/Associate Member</p> <p><i>List the Administrations which you represent at IMO (a separate assessment form should be completed for each. Include all flag State, including those which are not Member States of IMO but are Parties to IMO instruments).</i></p>	<p>Hong Kong, China</p>
<p>2. Name of contact person responsible for the completion of this form</p> <p>Name of Administration</p> <p>Address</p> <p>Telephone number</p> <p>Fax number</p> <p>E-mail address</p> <p>Web site</p>	<p>Mr. S.K. Anand Assistant Director/Shipping</p> <p>Marine Department</p> <p>22/F., Harbour Building, 38 Pier Road, Hong Kong</p> <p>(852) 2852 4404</p> <p>(852) 2852 9416</p> <p>sk_anand@mardep.gov.hk</p> <p>http://www.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 style="text-align: center;"><i>SOLAS 74</i></p> <p style="text-align: center;"><i>SOLAS Protocol 78</i></p> <p style="text-align: center;"><i>SOLAS Protocol 88</i></p> <p style="text-align: center;"><i>MARPOL 73/78</i></p> <p style="text-align: center;"><i>Annex III</i></p> <p style="text-align: center;"><i>Annex IV</i></p> <p style="text-align: center;"><i>Annex V</i></p> <p style="text-align: center;"><i>Annex VI</i></p> <p style="text-align: center;"><i>LL66</i></p> <p style="text-align: center;"><i>LL Protocol 88</i></p> <p style="text-align: center;"><i>TONNAGE 69</i></p> <p style="text-align: center;"><i>COLREG 72</i></p> <p style="text-align: center;"><i>UNCLOS</i></p>	<p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</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 your flag?</p> <p>4.2 What is the total gross tonnage of merchant ships flying the flag of your State?</p>	<p style="text-align: center;"><u>As at 31 December 2002</u></p> <p style="text-align: center;">758</p> <p style="text-align: center;">16,230,270</p>

INTERNAL CRITERIA	
Legal framework	
<p>5. Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:</p> <ul style="list-style-type: none"> .1 the construction, equipment and management of ships; .2 the prevention, reduction and control of pollution of the marine environment; .3 the safe loading of ships; .4 the manning of ships; .5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collision? 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>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?</p>	<p>Yes</p>
<p>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?</p>	<p>Yes</p>
<p>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?</p>	<p>Yes</p>
<p>9. Does your Administration have the necessary laws in force to carry out the required casualty investigations?</p>	<p>Yes</p>

Enforcement

10. Does your Administration have an infrastructure, including personnel with appropriate technical expertise and experience, to:

- .1 identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements?
 - .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

Yes

Year:	1998	1999	2000	2001	2002
Ships:	0	0	0	0	0
In 5 years 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

Year:	Detentions	Ships-Inspected	Detention%
1998	16	532	3.0075
1999	11	491	2.2403
2000	19	736	2.5815
2001	20	860	2.3256
2002	18	1112	1.6187
In 5 years rolling period			
	84	3713	2.2251

Recognized organizations acting on behalf of the Administration

12. Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you indicate under question 3?

Total 8 organizations have been recognized:

- American Bureau of Shipping**
- Bureau Veritas**
- China Classification Society**
- Det Norske Veritas**
- Germanischer Lloyd**
- Korean Register of Shipping**
- Lloyd's Register of Shipping**
- Nippon Kaiji Kyokai**

<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</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</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>Survey for the issue of</p> <ul style="list-style-type: none"> - Cargo Ship Safety Certificate - Cargo Ship Safety Construction Certificate; - Cargo Ship Safety Equipment Certificate; - Cargo Ship Safety Radio Certificate; - International Oil Pollution Prevention Certificate; - International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substance in Bulk; - Document of Compliance for Carriage of Dangerous Goods; - International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk; - Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk; - International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk; - International Load Line Certificate; - Document of Authorization (Grain Loading) - Document of Compliance (ISM); - Safety Management Certificate (ISM); - International Tonnage Certificate.

<p>16. Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.</p>	<p>The following survey functions are carried out by this Administration :-</p> <ul style="list-style-type: none"> 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 (ISM) Code.
<p>17. Does your Administration carry out the verification and monitoring functions specified in Resolution A.739(18)?</p>	<p>Yes</p>
<p>18. How does your Administration carry out the verification and monitoring functions specified in Resolution A.739(18)?</p>	<p>A Flag State Quality Control (FSQC) system is adopted to verify and monitor the performance of the recognized organizations who survey and certify ships on behalf of this Administration. Under the FSQC system, certain number of ships are inspected by this Administration each year whose quality is found to be deteriorating or suspect. The findings from these inspections are published in an annual report. Recognized organizations and ship operators are requested to rectify the deficiencies found during such investigations.</p>
<p>19. How often does your Administration verify and monitor the work of recognized organizations acting on its behalf?</p>	<p>On a continuous basis.</p>
<p>20. How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?</p>	<p>Not applicable</p>

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, this Administration has both financial and administrative means for the Marine Accident Investigation Branch to undertake thorough and prompt casualty investigations.																																										
22. For each of the previous 5 years*, for ships flying the flag of your State: .1 How many serious and very serious casualties and incidents were investigated? .2 How many such casualties and incidents were reported to IMO?	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Year:</td> <td style="width: 10%;">1998</td> <td style="width: 10%;">1999</td> <td style="width: 10%;">2000</td> <td style="width: 10%;">2001</td> <td style="width: 10%;">2002</td> </tr> <tr> <td>No. of serious casualties/incidents</td> <td style="text-align: center;"><u>2</u></td> <td style="text-align: center;"><u>4</u></td> <td style="text-align: center;"><u>8</u></td> <td style="text-align: center;"><u>2</u></td> <td style="text-align: center;"><u>1</u></td> </tr> <tr> <td>Total in 5 years rolling period =</td> <td colspan="5" style="text-align: right;">17</td> </tr> <tr> <td>Reported to IMO</td> <td style="text-align: center;"><u>2</u></td> <td style="text-align: center;"><u>4</u></td> <td style="text-align: center;"><u>8</u></td> <td style="text-align: center;"><u>2</u></td> <td style="text-align: center;"><u>0</u></td> </tr> <tr> <td>Total in 5 years rolling period =</td> <td colspan="5" style="text-align: right;">16</td> </tr> </table>	Year:	1998	1999	2000	2001	2002	No. of serious casualties/incidents	<u>2</u>	<u>4</u>	<u>8</u>	<u>2</u>	<u>1</u>	Total in 5 years rolling period =	17					Reported to IMO	<u>2</u>	<u>4</u>	<u>8</u>	<u>2</u>	<u>0</u>	Total in 5 years rolling period =	16																
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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																																										
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																																										
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 the previous 5 years*? .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? .2 In how many cases did your Administration report back to the reporting State or to IMO in each of the previous 5 years*?	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Year:</td> <td style="width: 10%;">1998</td> <td style="width: 10%;">1999</td> <td style="width: 10%;">2000</td> <td style="width: 10%;">2001</td> <td style="width: 10%;">2002</td> </tr> <tr> <td></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> </tr> <tr> <td>In 5 years rolling period =</td> <td colspan="5" style="text-align: right;">0</td> </tr> <tr> <td></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> </tr> <tr> <td>In 5 years rolling period =</td> <td colspan="5" style="text-align: right;">0</td> </tr> <tr> <td></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> <td style="text-align: center;"><u>0</u></td> </tr> <tr> <td>In 5 years rolling period =</td> <td colspan="5" style="text-align: right;">0</td> </tr> </table>	Year:	1998	1999	2000	2001	2002		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	In 5 years rolling period =	0						<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	In 5 years rolling period =	0						<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	In 5 years rolling period =	0				
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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?

Year: 1998	1999	2000	2001	2002
2	4	8	2	1
Total in 5 years rolling period = 17				
0	0	1	0	0
Nil	Nil	Nil	Nil	Nil
7.6	11.4	18.9	3.1	1.3
5 years rolling average = 6.95				
0.92%	1.67%	1.06%	0.11%	0.01%
5 years rolling average = 0.49%				

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?

Year: 1998	1999	2000	2001	2002
2	1	14	8	0
Total in 5 years rolling period = 25				
0	0	0	0	0
Total in 5 years rolling period = 0				

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.

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?	Year: Detentions	Ships-Inspected	Detention%	
	1998	16	532	3.007%
	1999	11	491	2.240%
	2000	19	736	2.581%
	2001	20	860	2.325%
	2002	18	1112	1.618%
	5 years rolling average		=	2.2251%
.2 What detention rate per 1000 ship inspections does this represent? (see also question 11)	Detention rate per 1000 ship inspections:			
	1998	30.07		
	1999	22.40		
	2000	25.81		
	2001	23.25		
	2002	16.18		
	5 years rolling average =			22.25

* or from the date your Government became a Party to the relevant instrument, if that is later.
(in five year period 1998 - 2002)

** “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.