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MARINE DEPARTMENT  
MERCANTILE MARINE OFFICE  
3/F., HARBOUR BUILDING  
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11 February 2021

To : Shipowners, Ship Managers and Masters of Hong Kong registered ships

Dear Sir/Madam,

**Delivery of Copies of Crew Agreement and Lists of Crew**

This circular letter serves to inform shipowners, ship managers and masters of Hong Kong registered ships that, **with immediate effect**, copies of crew agreement and lists of crew shall be delivered to the Mercantile Marine Office (MMO) of Marine Department by electronic means via e-mail mmo\_mdd@mardep.gov.hk. The soft copy of the “Crew Agreement and Lists of the Crew” (HKENG 1) and “Lists of Crew” (HKENG 2), in an excel file format, could be downloaded from the Marine Department website :

<https://www.mardep.gov.hk/en/forms/pdf/md665.xls>

<https://www.mardep.gov.hk/en/forms/pdf/md663.xls>

**Delivery of copies of crew agreement and lists of crew**

2. Pursuant to section 6 of Merchant Shipping (Seafarers) (Crew Agreements, Lists of Crew and Discharge of Seafarers) Regulation (Cap.478L), the employer shall, within 28 days of the date on which a crew agreement is made or any agreement is added to those contained in a crew agreement or, if it is not practicable within that period, as soon as practicable thereafter, deliver to the Superintendent a copy of the crew agreement and of any agreement so added.

3. Also in section 13 of the same regulation, where a new list of crew is made or any change (including the addition of any particulars) is made in a list of crew, the master of the ship concerned shall, if such new list or change is not made

before the Superintendent, within 28 working days after such new list or change is made or, if it is not practicable within that period, as soon as practicable thereafter, deliver to the Superintendent a copy of the new list or notification of the change, as the case may be.

### **Crew Agreement and Lists of the Crew (HKENG 1)**

4. The “Crew Agreement and Lists of the Crew” (HKENG1) (Form No. MD 665) will keep the key information of the ship, the crew agreement and lists of crew. If there is significant change, such as change of shipowners, employer or ship manager, closure of registration, discharge of the last seafarer employed under the same terms and conditions, the HKENG 1 shall be terminated on that day. The terminated HKENG 1 shall be delivered to MMO as soon as practicable, or within 28 days of the termination date.

### **Lists of Crew (HKENG 2)**

5. The “Lists of Crew” (HKENG 2) (Form No. MD 663) contains the key information of each seafarer who signs on and off the vessel. It forms a part of the crew agreement. The particulars shall be filled in, consistent with the seafarers’ employment agreements (SEAs) as expressed in the Maritime Labour Convention 2006, as amended (MLC 2006). No signature of crew is required when delivering the HKENG 2 in excel file format. When there is any crew change, it is necessary only to deliver the updated part of the HKENG 2. The hard-copy of the lists of crew with crew’s signature shall be kept on board for inspection upon request and it is not necessary to be delivered to MMO. If HKENG 1 is terminated, HKENG 2 shall also be terminated on the same date. They are required to be delivered to MMO in excel file format.

### **Terms and Conditions of Services**

6. “Terms and Conditions of Services” means those intelligible employment clauses of each seafarer. It may be made by reference of the “Standard Clauses for a Hong Kong Registered / foreign Sea-going Ship” issued by MMO ([www.mardep.gov.hk/en/pub\\_services/pdf/mlc201222.pdf](http://www.mardep.gov.hk/en/pub_services/pdf/mlc201222.pdf)). The “Terms and Conditions of Services” should be either laid down in the appropriate part of the HKENG 1, or contained in a document attached thereto. Any kind of crew agreements developed by unions, associations or seafarer’s national

standards which meets the requirements of MLC 2006, if any, may be annexed to and form part of the “Crew Agreement”. A copy of the “Terms and Conditions of Services” in PDF shall be delivered together with HKENG 1 and HKENG 2 to MMO as soon as possible within 28 days. If there is amendment / supplement / addendum made to the “Terms and Conditions of Services”, the amendment / supplement / addendum shall be delivered to MMO as soon as possible within 28 days.

7. Should you have any enquiries, please feel free to contact us by email at [mmo\\_mdd@mardep.gov.hk](mailto:mmo_mdd@mardep.gov.hk) or by fax at (852) 2545 4669 or by telephone at (852) 2852 3075.

Yours faithfully,

(No signature on website copy)

(Z.J. Kuang)

Mercantile Marine Office

Encl.

“Agreement and Lists of the Crew” (HKENG 1) and “Lists of Crew” (HKENG 2),  
in an excel file format with guidance notes

c.c.: Hong Kong Shipowners Association  
Hong Kong Seamen’s Union  
Merchant Navy Officers’ Guild  
Amalgamated Union of Seafarers, H.K