



Welcome

Safety Seminar February 2022

Hong Kong Marine Department

We are One in Promoting Excellence in Marine Services



Opening

K.L. LUI
General Manager/Ship Safety

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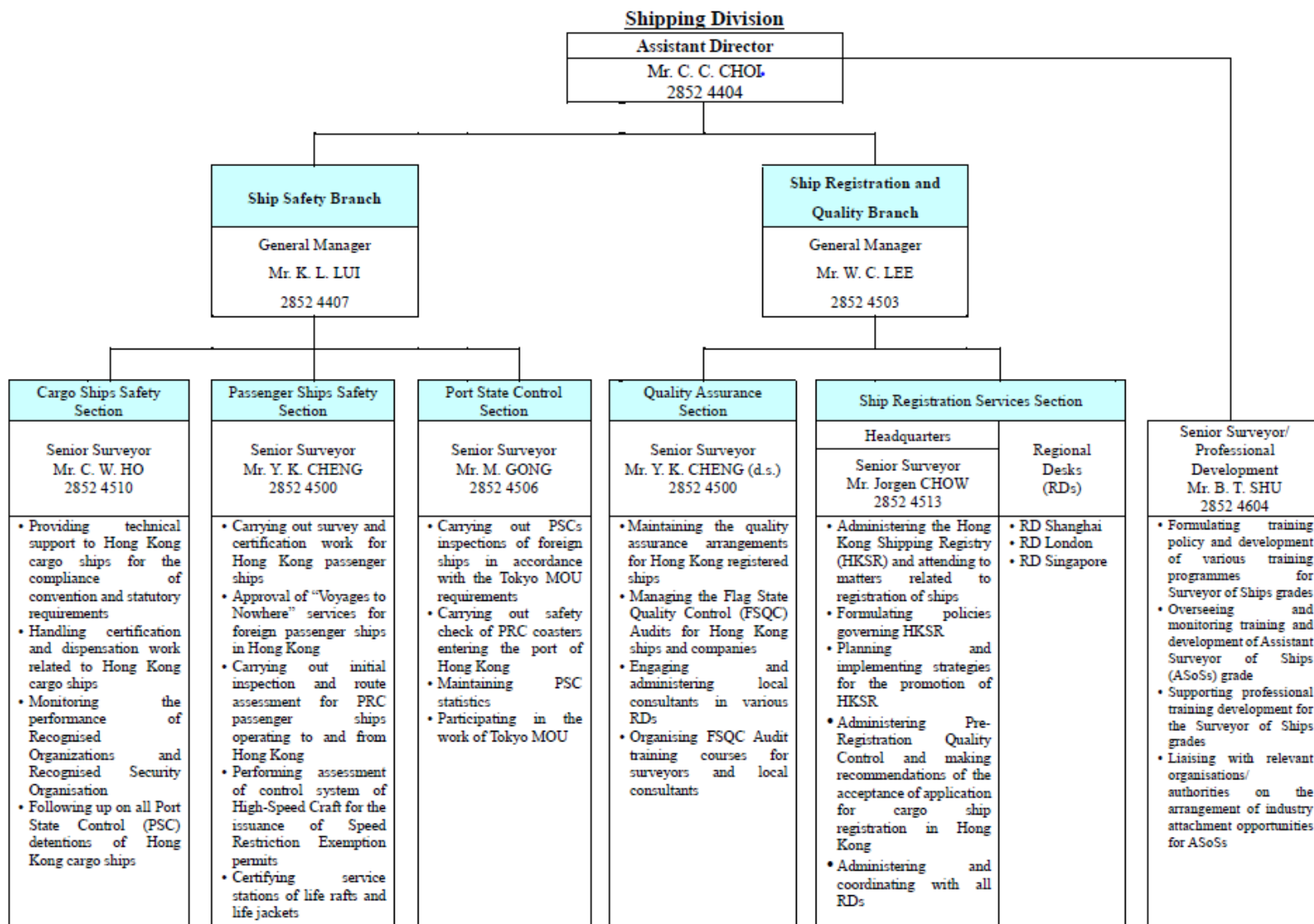
Introduction

Eric Lee

**General Manager/ Ship Registration and
Quality Branch**

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Organization



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What's On Today



1. Performance Review
2. Regional Desk Development
3. Compliance of MLC
4. Detention Case Study
5. Q&A Session



1. HK Fleet Performance

Winson CHENG
Senior Surveyor/Quality Assurance

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PSC MoUs+USCG HK Registered Ships



2020

2021

Deficiencies per Inspection

1.14

1.12

Detention Rate

1.53%

1.25%



18.3%

No. of Detentions

56

53



5.4%

No. of Inspections

3665

4257

Detention by MOUs+USCG



	2020	2021
Tokyo	35(62.5%)*	30(56.6%)*
Paris	7	10
Indian Ocean	1	0
USCG	4	3
Abuja MOU	0	1
Riyadh MOU	0	1
Vina del Mar	0	2
Black Sea	9	5
Mediterranean Ocean	0	1
Total	56	53

Australia (Tokyo)

2020	2021
22	21
(39%)*	(40%)*

Indonesia (Tokyo)

2020	2021
6	6
(11%)*	(11%)*

Russia (Black Sea)

2020	2021
6	4
(11%)*	(8%)*

(*) indicate the percentages from the total number of detention for the year

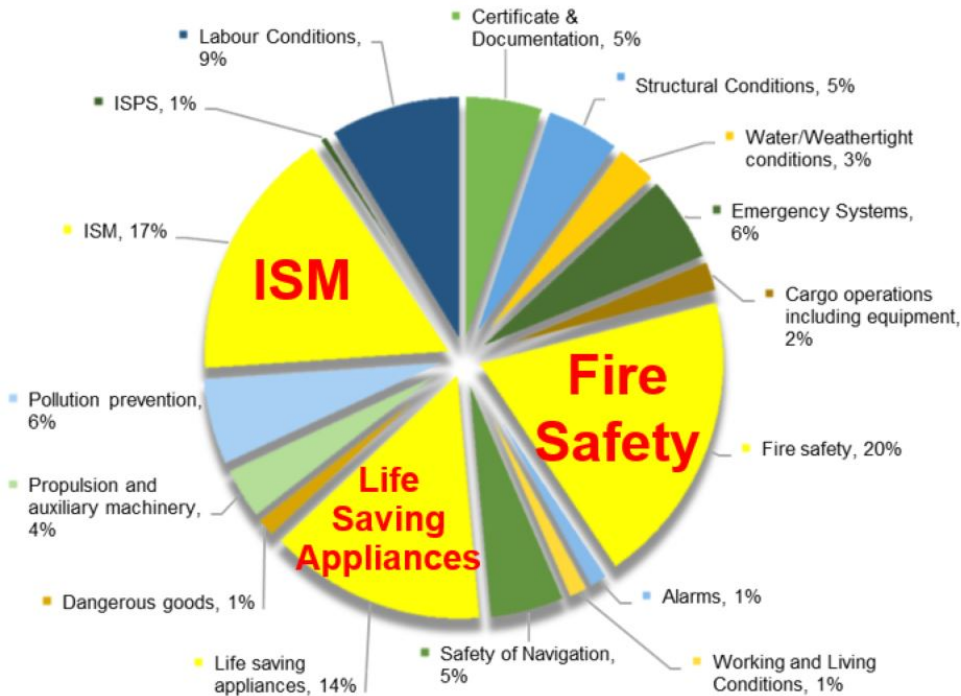
Geographical Distribution of Detention (Top 6)



2020	
Australia	22 (39%)
Indonesia	6 (11%)
Russia	6 (11%)
Belgium	5 (9%)
Canada	5 (9%)
USA	4 (7%)

2021	
Australia	21 (40%)
Indonesia	6 (11%)
Russia	4 (8%)
USA	3 (6%)
Canada	3 (6%)
United Kingdom	3 (6%)

Detainable Deficiencies

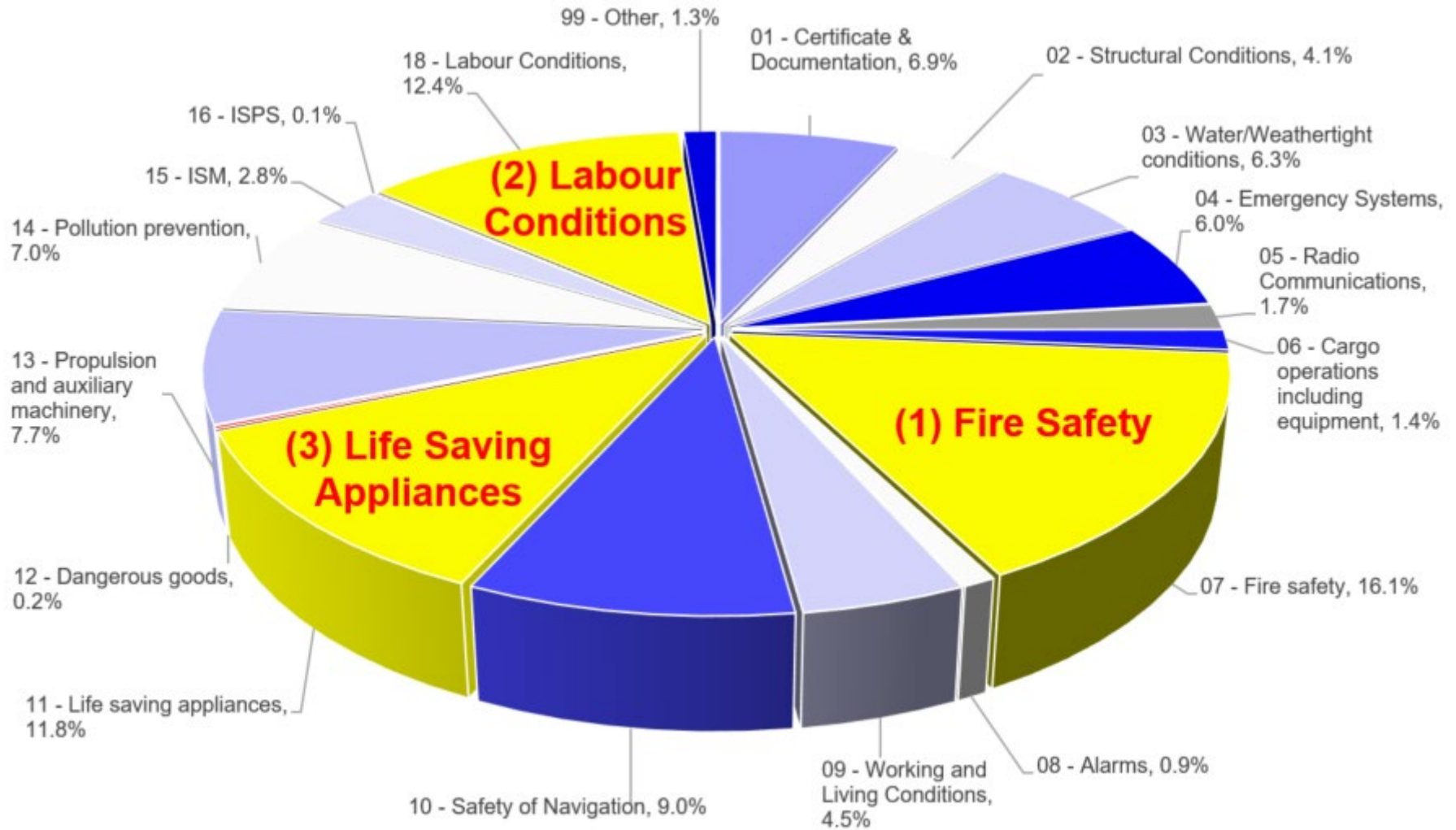


2020



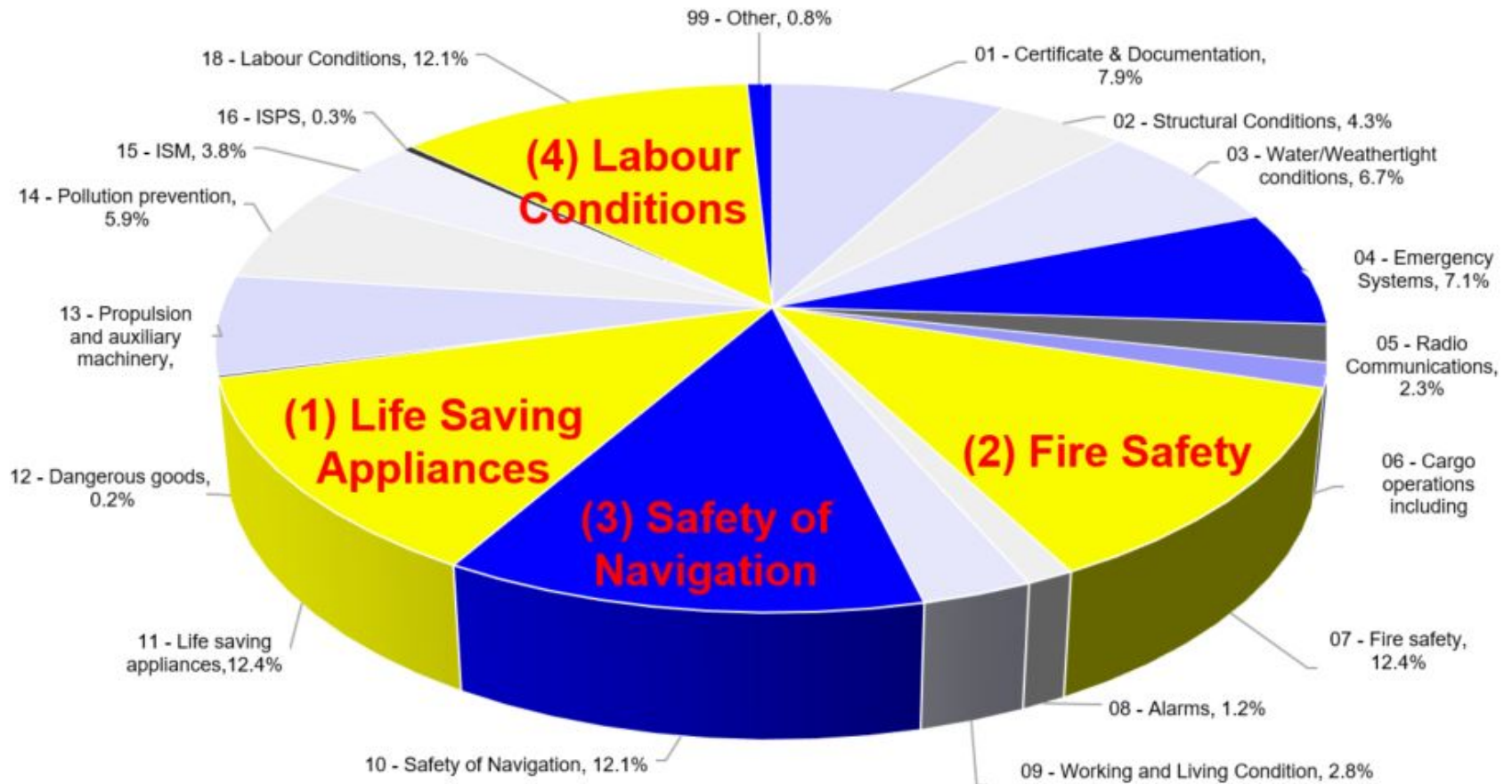
2021

Deficiencies of all HK Flag Ships



2020

Deficiencies of all HK Flag Ships

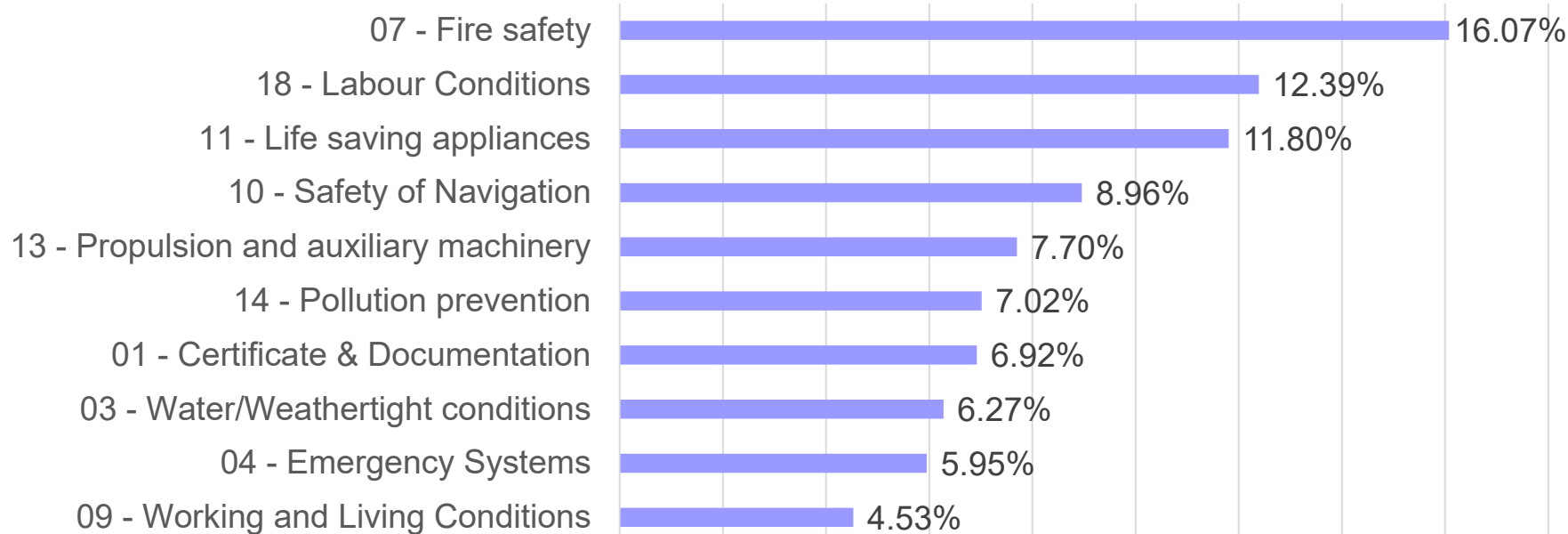


2021

Top 10 Defects in 2020



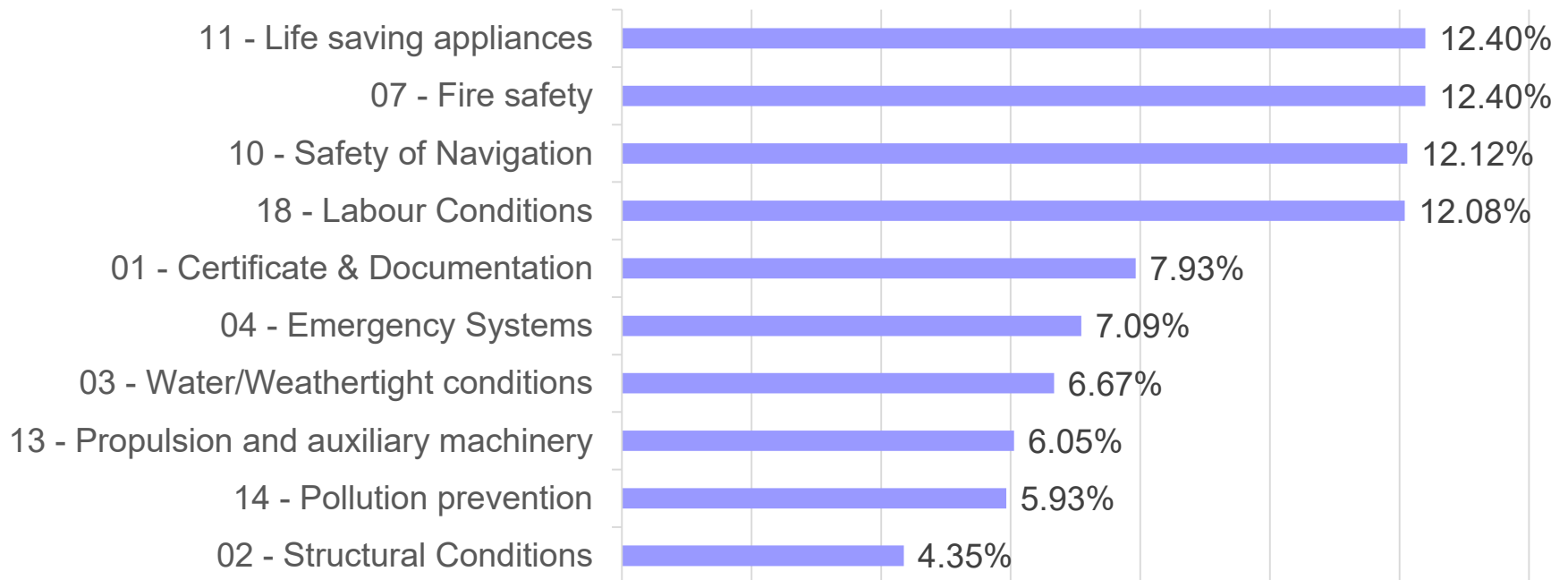
Top 10 deficiencies in 2020



Top 10 Defects in 2021



Top 10 Deficiencies in 2021





Top 10 PSC Deficiencies Code for HK flag ships in yr 2021

Ranking	Main Group	Defective Item Code	Total Number	Description
1	11	11101	145	Lifeboats
2	10	10109	111	Lights, shapes, sound-signals
3	04	04103	83	Emergency, lighting, batteries and switches
4	13	13102	83	Propulsion and auxiliary machinery – Auxiliary engine
5	07	07199	79	Fire safety – Other (fire safety)
6	11	11104	75	Life saving appliances – Rescue boat
7	07	07105	67	Fire safety – Fire doors/openings in fire resisting divisions
8	03	3103	67	Water/Weathertight condition – Railing, gangway walkway and means for safe passage
9	18	18408	66	Labour Conditions – Health protection, medical care, social security - Electrical
10	13	13199	61	Propulsion and auxiliary machinery – Other (machinery)

Detention Rate at USCG



	2020	2021
Tokyo	35	30
Paris	7	10
Indian Ocean	1	0
USCG	4	3
Abuja MOU	0	1
Riyadh MOU	0	1
Vina del Mar	0	2
Black Sea	9	5
Mediterranean Ocean	0	1
Total	56	53

USCG Detention
Rate

2020	2021
0.74%	0.61%

Detention Rate at USCG



- **3 yr rolling detention % <1%**
- **"QUALSHIP 21 programme" as a qualified flag since 2011**





PSC detention deficiencies in Australia

- Ship managers and owners are advised to inspect the ship on the following areas before calling Australian ports:

1. Fire-dampers	8. Other (ISM)
2. Maintenance of the ship and equipment	9. Covers (hatchway-, portable-, tarpaulins, etc.)
3. Lifeboats	10. Operational readiness of lifesaving appliances
4. Sewage treatment plant	11. Other (Conditions of employment)
5. Cargo operation	12. Fire pumps and its pipes
6. Shipboard operations	13. Emergency fire pump and its pipes
7. Other (fire safety)	14. Reports of non-conf., accidents & hazardous occur.

- MD Circular:

Port State Control Detention of Hong Kong Registered Ships in Australian Ports

<https://www.mardep.gov.hk/en/faq/pdf/let201126.pdf>



Top 10 Common PSC deficiencies in Australia

- Ship managers and owners are advised to inspect the ship on the following areas before calling Australian ports:

1. Emergency, lighting, batteries and switches
2. Ventilators, air pipes, casings
3. Other (MARPOL Annex I)
4. Fire doors/openings in fire-resisting divisions
5. Ready availability of fire fighting equipment
6. Ballast Water Record Book
7. Lifebuoys incl. provision and disposition
8. Fire fighting equipment and appliances
9. Oil accumulation in engine room
10. Other (fire safety)



PSC detention deficiencies in Indonesia

- Ship managers and owners are advised to inspect the ship on the following areas before calling Indonesian ports:

- | |
|--|
| 1. Fire-dampers and ventilators |
| 2. Fire doors/openings in fire-resisting divisions |
| 3. Operation of sewage treatment plant |
| 4. Emergency generator |
| 5. Rescue boat (starting of engine) |
| 6. Onboard training and instructions |
| 7. Operation according to Garbage management plan |
| 8. ISM – Implementation and maintenance |

- MD Circular:

Port State Control (PSC) Detention of Hong Kong-Registered Ships in Indonesian Ports

<https://www.mardep.gov.hk/en/faq/pdf/let211103.pdf>



Top 10 Common PSC deficiencies in Indonesia

- Ship managers and owners are advised to inspect the ship on the following areas before calling Indonesian ports:

1. Lighting on deck and accommodation including emergency lighting
2. Insulation of Fire Wall and Hot Pipes
3. Condition of Lifeboats – retroreflective tape, window glass, marking
4. Hatch Covers and their closing device – weathertight integrity, leakage of hydraulic oil
5. Fire Doors and Weathertight Doors – proper closing, damages
6. Navigation Lights
7. Leakages in main engine / auxiliary engines / steering gear
8. Records of GMDSS including routine tests
9. Cleanliness of accommodation and workplace
10. Emergency generator and battery (proper functioning)



2. Regional Desk Development

Jorgen CHOW

Senior Surveyor/Ship Registration Services

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Regional Desk Development



- ◆ Shanghai, Singapore and London commenced operation since 2019



Regional Desk Development



- ◆ Shanghai, Singapore and London commenced operation since 2019
- ◆ Sydney, San Francisco, Toronto and Tokyo also started to provide services in phases in 2021



FSQC Audit Coverage



- ◆ 70 FSQC Audits were completed in 2020 by Headquarters and three Regional Desks (covering ports in Hong Kong, China, Singapore, UK and Europe)



FSQC Audit Coverage



- ◆ With more RDs services, FSQC Audit coverage was extended in 2021 (covering ports in Hong Kong, China, Singapore, UK, Europe, Australia, USA, Canada, Panama and Japan)
- ◆ Global Coverage of Major Trading Routes
- ◆ As a result of services expansion, there were 141 FSQC Audits completed in 2021, doubled the figure of 2020 (70)



Quality Improvement- Case Sharing



- ◆ Two ships were detained in January 2021 under the management of one Company
- ◆ Total 5 detainable deficiencies identified



- ◆ The company's detention rate was raised to four times of its average
- ◆ It is **ALARMING** and actions have to be taken



Quality Improvement- Case Sharing



- ◆ **MD Regional Desk (RD) arranged meeting with company's management and urged for an immediate action to be taken to their managing HK fleet**
- ◆ **A POLICY NOTICE was issued by the Company Headquarters for fleet PSC performance and improvement**
 - **The Company Headquarters Top Management involves in PSC performance and improvement**
 - **The Company Local Top Management takes the responsibility to improve the HK fleet PSC performance**

Quality Improvement- Case Sharing

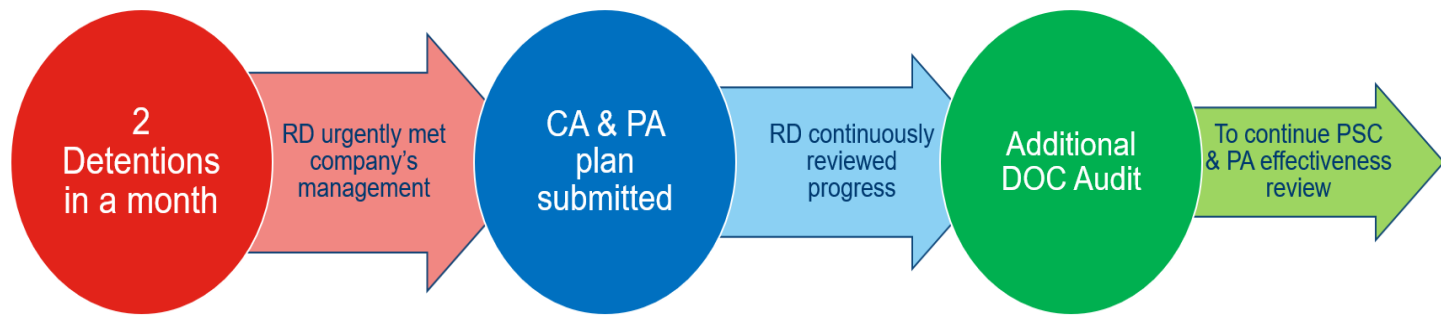


- ◆ **Actions taken by Top Management (Local Office)**
 - **Improve communication and promote quality assurance (establish monthly ship management conference and ship/shore bi-weekly video call)**
 - **Provide shore assistance (dedicated marine superintendent) to ship for every PSC inspection**
 - **Nominate a PSC in-charge for fleet to deal with PSC matters**
- ◆ **After a few months of Preventive Action (PA) plan implementation, the average PSC detention rate and numbers of deficiency/inspection of HK fleet are lowered**
- ◆ **SHIP/SHORE relationships and safety awareness on board are improved**

Quality Improvement- Case Sharing



- ◆ Additional DOC audit was carried out by RO (with MD participated) to review the PA plan effectiveness
- ◆ With the effort made by the company (RD monitored closely), a WIN-WIN situation is for the Company and Ship (safety awareness)



Quality Improvement- Case Sharing



Common Root Causes

- ◆ Crew
- ◆ Management
- ◆ Resources



Break

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3. Compliance of MLC

Zhi Jian Kuang

**Senior Surveyor/Seagoing Examination and
Mercantile Marine Office**

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MLC Compliance Matters



1. Medical certificate and its extension;
2. SEA (Seafarers' employment Agreement) and its termination/extension;
3. Repatriation and expenses, salary, payment of quarantine period;
4. Medical care on board and medicine store;
5. Bully and harassment;
6. Discipline and misconduct;
7. Manning agency and the permission of Administration;
8. Complaint procedures.

1. Medical certificate and its extension



- In 2021, MD issued more than 150 no objection to the extension of MC of seafarers on Hong Kong ships.
- Standard A1.2.9, MC shall continue in force (not exceed 3 months) if the MC expires during the voyage [no dispensation/exemption is required].
- For extension of more than 3 months, the master shall report to MD, MD will consider and give no objection in accordance with section 3.3 of Cap.478O (Merchant Shipping (Seafarers) (Medical Examination) Regulation).
- The company /master is required to arrange renewal of the MC at next port of call then seafarer can obtain MC as soon as possible.

2. Sea(Seafarers' employment Agreement) and its termination/ extension



- On 31 July 2020, MD issued a circular of extension of SEA and submission
- On 23 December 2020, MD issued a Circular for the Australia AMSA Notice 10/2020 (not longer than 11 months after 2/2021).
<https://www.mardep.gov.hk/en/faq/pdf/mlc201223.pdf>
- MMO received more than 2000 submission of extension of SEA from our ships (in past period).
- SEA is prematurely terminated other than for disciplinary reasons, seafarers shall entitled of two months wages.

PSC inspections: In 2021, 4 detention cases related to MLC compliance deficiency related with SEA (<https://www.mardep.gov.hk/en/faq/pscinfo.html>)

- *SEA expired, 2 cases.*
- *SEA more than 11 months, 1 case.*
- *Paid not in accordance with the SEA, 1 case.*

3. Repatriation and expenses, wages, payment of quarantine period



- Repatriation and the expenses (maintenance and travel fee) shall be covered by the company if not disciplinary reasons.
- At the time of discharge, the wages shall be paid to the seafarer in full; an account of wages shall be delivered to the seafarer also. (s84 and 85 of Cap.478).
- Payment of quarantine period, no clear statutory requirements, current practice (SEA clause):
 - *basic wages for the quarantine period: i. before joining ship; ii. until the completion of repatriation (at arrival of home country).*
 - *Maintenance fee only after arrival of destination of repatriation.*

Repatriation destination



- In the past, complaints are mainly related to dispute on payment for the period of repatriation/quarantine periods.
- SEA not clearly states the repatriation destination. The unclear description of repatriation destination in SEA would cause the dispute on the time of completion of repatriation.
- It causes confusion on the payment for the unclear repatriation period.
- On 9 September 2021, MMO issues Circular on the revise of Standard Clauses to remind the company to clear state the destination of repatriation.
- Payment for repatriation shall be clearly stated in the SEA as the period of repatriation may be prolonged some months.



4. Medical care on board/ at port and medical store



Circulars for Guidance, prevention and vaccination of COVID-19:

- on 4 May 2020, MD issued “[Guidance on the prevention and control of COVID-19 on board ships](#)”.
- on 5 May 2021, MD issued Circular “[Prevention of COVID-19 and protection of seafarers](#)”.
- on 17 Dec.2021, MD issued Circular “[COVID-19 Vaccination for Seafarers](#)”.

Assistance request in the year 2021:

- visit shore doctor/hospital for medical treatment.
- entry into port with COVID-19 infected(doubt) seafarers.
- crew panic after COVID-19 infection incident.

MMO rendered assistance by communicating with company, local authority and Chinese Embassy/consulate.

Medicine Store / Medical store certificate:

- 22/2/2019,MD issued Circular “Medicines and Medical Stores for Hong Kong Registered Ships”
<https://www.mardep.gov.hk/en/faq/pdf/mlc190222.pdf> .
- MD will not issue certificate for the medicine store.
- the ship shall apply to the pharmacy company (supplier) to issue a certificate of compliance while purchasing the listed medicine and medical equipment.

PSC inspection in 2021, one case is related with the medical unfit to continue work on board, but the crew member was not repatriated properly.

5. Bully and harassment



- On 8 Feb.2019, MD issued a circular to remind the industry of the 2016 amendments in MLC Guideline B4.3.1 regarding the “Guidance on eliminating shipboard harassment and bullying”.
- Company may take account of the provision of guideline into the ship SMS to eliminating harassment and bullying.
- Recently, the number of complaint of harassment/bullying (verbal and physical) is increasing.
- The company may investigate the reported harassment / bullying incident, and submit to MMO.

6. Discipline and misconduct



Hong Kong legislation:

- Section 112 of Merchant Shipping (Seafarers) Ordinance (Cap.478) provides the provision of “inquiry into fitness or conduct of officer” (held by person appointed by chief justice).
- Merchant Shipping (Seafarers) (Disciplinary Offences On Board Ships) Regulation (Cap.478N) provide provisions of who (ship master and authorised officer), when(within 24 hours), how (procedure) to deal *with* “disciplinary offences of ratings”.

Company’s policy and SEA clause on disciplinary offences:

- Company policy and or SEA clause shall provide the provision of disciplinary offences and handling procedure including dismiss a seafarer (e.g. offence of alcohol/drugs policy, be prejudicial to the safety of the ship and crew, gambling on board).
- The procedures shall be followed strictly including proper entry record in the official log book.
- Recent complaint cases indicated that some ships’ masters ignored the procedure on dismissal / early termination of SEA, it may cause repatriation fee and compensation of two month wages due to improper dismissal procedure.

7. Manning Agency and permission of administration



- MLC Regulation 1.4 and Standard A1.4.2 stipulates that: the private seafarers recruitment and placement services shall be operated only in conformity with a standardized system of licensing or certification or other form of regulations.
- In 2021, one deficiency was discovered that the permission / certificate of the manning agency was cancelled by the Seafarers Administration.
- The company shall establish a procedure to ensure their manning agency being certificated / licensed by the Seafarers Administration and effective.



CERTIFIED



8. Handling of seafarers complaints

MMO handles complaint incidents and assistance request cases from seafarers and company, such as: delayed repatriation, and payment problem (investigation, follow up, solution).

- Some cases of complaint were relayed by IMO, union or foreign Administration without firstly reported to MD.
- Company may reiterate the on board complaint procedure, it should advice the seafarers referring cases in normal route to company and Flag Administration first, instead of reporting to IMO, ITF, ILO, Port State, or other unions / associations.





THANK YOU!



4. Detention Case Study

Nelson HO

Senior Surveyor/Cargo Ships Safety

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Case 1

LSA Operational Readiness



Type of ship	Bulk Carrier
Ship age	> 5 years
PSC inspection (PSCI)	Patache, Chile
Detainable deficiencies	2
Period of detention	2 days



***The photos attached are for illustration only**

Case 1

LSA Operational Readiness



The forecastle liferaft was found installed inside a **padlocked cage**.

- **Lack of Operational Readiness** (SOLAS Reg. III/20.2)

Before the ship leaves port and at all times during the voyage, all LSA shall be in working order and ready for immediate use.

- **Lack of Emergency Preparedness** (ISM Code, Section 8)

The Company should identify potential emergency shipboard situations and establish procedures to respond to them.





Case 2

ISPS Matter

Type of ship	Bulk Carrier
Ship age	> 20 years
PSCI	Istanbul, Turkey
Detainable deficiencies	1
Period of detention	-



***The photos attached are for illustration only**

Case 2

ISPS Matter



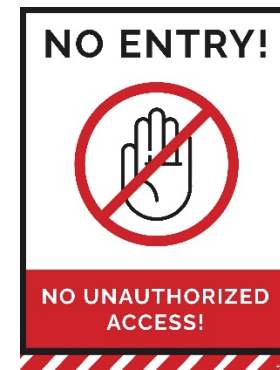
- A PSCO, without wearing uniform, went aboard the ship, **without being checked and registered at gangway.**
- As there were **stevedores** performing damage repair at the same time, the gangway watch misjudged the PSCO **without checking her identity.**
- A moment later, the PSCO was finally discovered by Second Officer patrolling, and revealed her identity.



Lesson Learnt (Case 2)



- Ship operators and Masters are reminded the importance of unauthorised access onboard the vessel. They shall
 - Identify the **access points** to be secured against unauthorised access
 - Assign adequate personnel to check the **identity** of all persons onboard
 - Secure areas that provide access to personnel
 - Isolate embarkation and disembarkation points
 - Provide security briefings to ship personnel on possible security threats





Case 3

Traffic Separation Scheme (TSS)

Type of ship	Bulk Carrier
Ship age	> 10 years
PSCI	Algeciras, Spain
Detainable deficiencies	5
Period of detention	-



***The photos attached are for illustration only**

TSS (Case 3)



- The vessel was warned when the vessel was sailing in opposite direction in the TSS area by the Vessel Traffic Services (VTS).
- Due to **language problem**, the officer on duty did not understand and continued to sail without aware the TSS.
- The vessel was then notified to **a routine PSC Inspection** and penalty of fail to comply with the TSS rules.
- The Master checked with other ships after informed by PSC, and figured out the existence of TSS.

TSS (Case 3)



■ ECDIS/GPS Rollover issue

During Root Cause Analysis, it was found that the TSS was not shown in the ECDIS and it would be due to the GPS Rollover. The week number parameter in the GPS device rolls over every 1023 weeks starting from the firmware creation date.

- When roll over occurs, the affected GPS will show **incorrect date and outdated information would be shown in the ECDIS.**



- Regularly, there are vessels with GPS rollover issue reported, and some vessels applied dispensations for this issue with risk assessments when the issue cannot be rectified immediately.

TSS (Case 3)



- Ship managers should check with the maker for **GPS rollover issue** in advance for preventive measurement. These information is available in their website, such as:
https://support.furuno.co.uk/en_US/news/gps-rollover-january-2022
<http://www.jrc.co.jp/eng/about/news/2021/1224-1.html>
- Master and navigation officer should also refer to the sailing books and materials when prepare the Voyage Plan, not solely using the ECDIS.

TSS (Case 3)



- **Communication problem** is also an important factor of this detention case. According to SOLAS Regulation V/4 “.....*English shall be used on the bridge as the working language for bridge-to-bridge and bridge-to-shore safety communications.....*”





Case 4

Toilet flush water system

Type of ship	Bulk Carrier
Ship age	> 20 years
PSCI	UAE
Detainable deficiencies	2
Period of detention	5 days



***The photos attached are for illustration only**

Toilet flush water system (Case 4)



- Toilet flush water system was found out of order.
- MLC B3.1.7 – Sanitary Accommodation

All toilets should be of an approved pattern and provided with **an ample flush of water** or with some other suitable flushing means, such as air, which are available **at all times** and independently controllable.





5. Q&A Session

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**Thank You for Your Participation
and Cooperation to Uphold the Quality
of HK Registered Ships**

End