

## **Brief Notes on Renewal of Crew Agreement**

- All seafarers serving on a HK registered ship shall be employed under a crew agreement. A complete set of crew agreement includes the front cover (HKENG 1); Lists of Crew (HKENG 2) and the "Terms and Conditions of Service"
- Crew agreement should be no limitation of period. If there is no significant change, it is not necessary to renew the crew agreement. It should be renewed (closed and a new one opened) if significant changes occurred such as change of employer, shipowner and major change on the terms and conditions of service.
- If the ship closes her registration in Hong Kong shipping register, it shall be terminated at same time of her closure of registration in Hong Kong shipping register.
- If the ship enters her registration in Hong Kong shipping register, a new crew agreement shall be opened at same time of her registration in Hong Kong shipping register.
- If the ship closes and enters in Hong Kong shipping register consequently without change of ship owner and or other particulars to affect the validity of crew agreement including the employer, and terms and conditions of service, it is not necessary to renew the crew agreement.

### **Termination of crew agreement**

- If the crew agreement is to be terminated, all crew members (disregarding whether they are continue to work on the ship) are to sign in the column "Signature of Seafarers on discharge" in the HKENG 2 and complete the column "Date and place of discharge", the date and place of discharge should be the same as the "Date and place of termination of agreement and lists of crew" at HKENG 1 with the master initiating at the last column at the same time.
- As soon as the crew agreement is terminated, the pertaining "Lists of Crew" (HKENG 2) should be terminated concurrently.
- The terminated HKENG 1 and HKENG 2 (with updated data at the time of termination) in its original excel format are to be submitted to MMO for record. No signature is required for the submission of the excel format of the terminated HKENG 1 and HKENG 2.
- The original printed copy of terminated HKENG 1 and HKENG 2 with signatures thereon are to be kept on board ship or by owner for future reference.

### **Renewal of crew agreement**

- In opening a crew agreement, blank specified forms (HKENG 1 & HKENG 2) should be used in the fresh crew agreement.

- The “Ref. No” assigned to each crew member in the HKENG 2 could start from No. 1 onward.
- The crew members continue to work on the ship are to sign in the column “Signature of Seafarers on engagement” in the fresh HKENG 2 and complete the column “Date and place of engagement”, the date and place of engagement should be the same as the “Date and place of commencement of agreement and lists of crew” at HKENG 1, unless the crew member is engaged on a latter date.  
( signature is not required for the submission of excel format forms )
- The particulars of HK Licence possessed by deck & engineer officers; the number and description of STCW watchkeeping certificate possessed by the deck and engine room watch ratings; and the exact amount of monthly wages of each crew member (it shall be equal to the amount of monthly wages of Seafarer Employment Agreement (SEA)) should be inputted in the proper column at HKENG 2.

#### **After the renewal of Crew Agreement**

- Subsequent to the renewal, the master shall deliver to this office via e-mail (submit\_to\_mmo@mardep.gov.hk) for record and inspection as soon as practicable the follows:
  - the terminated crew agreement ((front cover-HKENG 1, Lists of Crew-HKENG 2) in excel format (no signature is required for e-submission);
  - The renewed crew agreement (front cover-HKENG 1, Lists of Crew-HKENG 2) in excel format (no signature is required for e-submission);
  - Copy of “Terms and Conditions of Service” or CBA in PDF format; and
- Whenever there is any crew change, i.e. engagement and/or discharge of crew members during the currency of the agreement, it should be entered in the HKENG 2 kept on board the ship. Such crew change should be reported to this office via e-mail enclosed updated excel format HKENG 2. The agreement (HKENG 1) is not required to be renewed nor open a new agreement for the new engaged crew members.
- Whenever there is any change on the terms and conditions of services during the currency of the agreement, i.e. supplement, or addendum being inserted, the supplement or addendum in PDF shall be sent to this office via e-mail.

### **更新[船員協議]簡介**

- 凡在香港註冊船舶上服務的海員，均須以船員協議雇用。一份完整的船員協議包括協議封套(HKENG 1)；船員名冊(HKENG 2)及相關的“服務條款及條件”。
- 船員協議應無時間限制。如果沒有重大的改變，無需更新協議。如果發生重大改變諸如雇主或船東改變及，服務條款及條件的重大改變，須將協議更新，(亦即將該協議終結並隨即開立一份新的協議)。
- 如果船舶終止在香港註冊，協議即需在終止註冊時終結。
- 如果船舶在香港註冊，新的協議需在註冊同時開立。
- 如果船舶終止在香港註冊後，立即在香港註冊，並且沒有船東或其他船舶資料的變化以影響協議包括雇主及服務條款及條件的有效性，無需更新協議。

### **終結[船員協議]**

- 協議終結時，所有船員(不論是否繼續被聘任於船上工作)須於終結的協議中船員名冊(List of Crew-HKENG 2)上的解職海員簽署欄目內簽署解職。解職日期及地點須填上為與協議封套上的協議終止生效的日期與地點相全。並由船長於相關欄目內草簽。需提交的 EXCEL 格式的協議及船員名冊無需簽署。
- 協議終結時，附屬的 HKENG 2 亦應全時終結。

### **更新[船員協議]**

- 在開立新船員協議時，須以空白的特定表格 HKENG1 及 HKENG2 開立。
- 編配每名船員於 HKENG 2 內的編號，應從 1 號開始。
- 繼續受聘任於船上工作者，須重新列名在新開立之協議上，按協議開立的日期，重新簽署受雇。受雇日期及地點須填上為與協議封套上的協議開始生效的日期與地點相全(隨後受雇的船員除外)。並由船長於相關欄目內草簽。(提交的 EXCEL 表格無需簽署)。
- 在新的協議中，甲板與輪機部高級船員所持之香港執照編號及等級的資料；甲板及機艙值班船員(一水及機工)所持 STCW 值班證書的編號和說明，以及各船員的每月工資的確實款額及幣值單位(應等同於海員雇用協議(SEA)上列明的工資)。須妥為填寫在協議中船員名冊(List of Crew-HKENG 2)上的特定欄目內。

### [船員協議] 更新後

- 船員協議更新後, 船長須通過電郵將下列文件交回我處察閱及歸檔
  - 已終結的 EXCEL 格式的協議 (協議封套 HKENG 1 及船員名冊 HKENG 2) (提交電子文本無需簽署) ;
  - 一份新開立的 EXCEL 格式的協議副本 (協議封套 HKENG1 及船員名冊 HKENG 2) (提交電子文本無需簽署) ;
  - 及“服務條款及條件”或 CBA 的 PDF 副本 ;
- 協議有效日期內, 如有船員更替, 即有船員上船受雇及有船員下船離職, 須將船員更替的資料填寫在協議內所附之表格船員名冊 (HKENG 2)內。此船員更替需通過電郵附上更新的船員名冊 (HKENG 2) EXCEL 表格通知我處。 船長無須為新上船的船員更新船員協議 (HKENG 1) , 或開立新的船員協議 ;
- 協議有效日期內, “服務條款及條件”如有任何改變, 如增加補充條款或附件, 則需通過電郵將該增加的補充條款或附件的 PDF 文檔提交我處存檔。