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HONG KONG MERCHANT SHIPPING INFORMATION NOTE

Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Ordinance 2005

To : Shipowners, Ship Managers, Ship Operators and Ship Masters

Summary

To give effect to the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976 (“the Protocol”), the relevant provisions in the Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Ordinance 2005 (“the Ordinance”) will come into operation on 3 May 2015.

1. The Central People’s Government has notified the International Maritime Organization of the Hong Kong Special Administrative Region’s accession to the Protocol. To give effect to the provisions of the Protocol, and pursuant to Section 1(3) of the Ordinance, the Secretary for Transport and Housing has decided to appoint 3 May 2015 as the day on which Sections 2(b), 11, 12, 14(a) and (b)(i) and 20 of the Ordinance, which are applicable to ships whether seagoing or not, shall come into operation through a notice to be published in the Gazette on 30 April 2015.
2. A copy of the Amendment Ordinance is attached to this Note. It could also be found in the following website of Marine Department: <http://www.mardep.gov.hk/en/msnote/msin.html>.
3. Upon the commencement of the relevant legal provisions, shipowners will be subjected to higher liability limits for claims in respect of loss of life or personal injury and other claims arising from vessel incidents. This can provide better protection for passengers, cargo owners and other parties affected by vessel incidents.
4. Shipowners, ship managers, ship operators and ship masters are advised to note the above.

Marine Department
Multi-lateral Policy Division

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