

L.N. 106 of 2023

**Merchant Shipping (Prevention of Oil Pollution)
(Amendment) Regulation 2023**

(Made by the Secretary for Transport and Logistics under sections 3 and 3A of the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413))

1. Commencement

This Regulation comes into operation on 1 January 2024.

2. Merchant Shipping (Prevention of Oil Pollution) Regulations amended

The Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg. A) are amended as set out in section 3.

3. Regulation 29 amended (subdivision and stability)

(1) Regulation 29(2)(f), Chinese text—

Repeal

“遞進水浸”

Substitute

“遞進浸水”.

(2) Regulation 29(3)—

Repeal subparagraph (a)

Substitute

“(a) The final waterline, taking into account sinkage, heel and trim, must be below the lower edge of any opening through which progressive flooding may take

place. Such an opening must include an air pipe and an opening that is closed by means of a weathertight door or weathertight hatch cover, but may exclude an opening that is closed by means of—

- (i) a watertight manhole cover or watertight flush scuttle;
- (ii) a small watertight cargo tank hatch cover that maintains the high integrity of the deck;
- (iii) a remotely operated sliding watertight door;
- (iv) a hinged watertight access door of the quick-acting or single-action type that is normally closed at sea, with indications locally and at the navigation bridge showing whether the door is open or closed;
- (v) a hinged watertight door that is permanently closed at sea; or
- (vi) a sidescuttle of the non-opening type.”.

- (3) Regulation 29(3)(c), Chinese text—

Repeal

“孔洞” (wherever appearing)

Substitute

“開口”.

- (4) Regulation 29(4)(c), Chinese text, after “鉸鏈”—

Add

“式”.

LAM Sai-hung
Secretary for Transport and
Logistics

21 June 2023

Explanatory Note

The Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg. A) (*principal Regulations*) give effect to the International Convention for the Prevention of Pollution from Ships, 1973, including Annex I to the Convention (*Annex I*).

2. The Marine Environment Protection Committee of the International Maritime Organization passed resolution MEPC.343(78) on 10 June 2022. The resolution adopts amendments to paragraph 3.1 of Regulation 28 of Annex I (*Annex I amendments*).
3. Regulation 29(3)(a) of the principal Regulations applies to oil tankers of 150 GT and above (delivered after 31 December 1979) and requires the final waterline of such an oil tanker, taking into account sinkage, heel and trim, to be below the lower edge of any opening through which progressive flooding may take place. This Regulation amends that regulation to reflect the Annex I amendments by adding additional excluded openings fitted with watertight closure.
4. This Regulation also makes minor textual amendments to the principal Regulations.