



香港商船資訊

HONG KONG MERCHANT SHIPPING INFORMATION NOTE

Coming into Force of New and Amended Hong Kong Legislation Implementing SOLAS Chapter III and IV Requirements

To: Shipowners, Ship Managers, Ship Operators, Masters, Classification Societies and Shipbuilders

Summary

The purpose of this Note is to draw the attention of the parties concerned to one (1) piece of amended and one (1) piece of new Hong Kong legislation, which respectively implements the latest technical requirements in relation to life-saving appliances and arrangements, musters and training and radiocommunications stipulated in Chapter III and IV of the International Convention for the Safety of Life at Sea (SOLAS) adopted by the International Maritime Organization (IMO). Both legislation are expected to come into operation on 1 September 2017.

1. To implement the latest requirements of SOLAS adopted by IMO, the Secretary for Transport and Housing has made the following regulations under the Merchant Shipping (Safety) Ordinance (Cap.369) —
 - (1) Merchant Shipping (Safety) (Life-Saving Appliances) (Amendment) Regulation 2017 for Cap.369AY; and
 - (2) Merchant Shipping (Safety) (Radiocommunications) Regulation (Cap.369BB).
2. Copies of the abovementioned regulations are attached to this information note as Annexes 1 and 2. They could also be found in the following website of Marine Department <http://www.mardep.gov.hk/en/msnote/msin.html>
3. These new and amendment regulations will come into operation on 1 September 2017.

4. Brief summaries of these two regulations are as follows:

- (1) Merchant Shipping (Safety) (Life-Saving Appliances) (Amendment) Regulation 2017 for Cap.369AY:
 - (a) The title of Cap.369AY is renamed as the Merchant Shipping (Safety) (Life-Saving Appliances and Arrangements, Musters and Training) Regulation.
 - (b) Section 4 of the Merchant Shipping (Safety) (Life-Saving Appliances) Regulation is amended to clarify that –
 - (i) the life-saving appliances and arrangements on ships constructed on or after 1 July 1998 are to comply with the latest requirements of Chapter III of the Convention adopted by the International Maritime Organization in 1996 (1996 Chapter III);
 - (ii) the life-saving appliances and arrangements on ships constructed before 1 July 1998 are to comply with the requirements of applicable Chapter III of the Convention which is in force on the date on which the ship is constructed. In addition, these ships have to comply with the 1996 Chapter III requirements that are applicable to all ships (see new section 4A).
 - (c) A new section 4B is added to the Merchant Shipping (Safety) (Life-Saving Appliances) Regulation to incorporate the relevant requirements of the existing Merchant Shipping (Safety) (Musters and Training) Regulations relating to the provision of muster lists, emergency instructions and training, and drills; and
 - (d) Section 5 of the Merchant Shipping (Safety) (Life-Saving Appliances) Regulation is repealed.
 - (e) The following existing regulations are either repealed or amended:
 - (i) Merchant Shipping (Safety) (Musters and Training) Regulations (Cap.369AI) – repealed;
 - (ii) Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2017 – amendments to a definition and other textual amendments; and
 - (iii) Merchant Shipping (Safety) (Cargo Ship Safety Equipment Survey) (Amendment) Regulation 2017 – amendments to a definition.

- (2) Merchant Shipping (Safety) (Radiocommunications) Regulation (Cap.369BB):
- (a) Part 1 contains preliminary provisions that provide for the commencement and application of the Regulation and define various terms used in the Regulation. Part 2 provides for the requirements for the radio installations and radio equipment provided on a ship. Part 3 provides for the other requirements relating to radiocommunications, including the source of energy, radio watch, radio records and qualification that a person must obtain before the person is qualified to carry out distress and safety radiocommunications duties.
 - (b) With the coming into force of this new regulation, the following existing regulations are either repealed or amended:
 - (i) Merchant Shipping (Safety) (GMDSS Radio Installations) Regulation (Cap.369AR) – repealed;
 - (ii) Merchant Shipping (Safety) (Radio Installations) Regulations (Cap.369AP) – repealed;
 - (iii) Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) (Amendment) Regulation 2017 – amendments to references;
 - (iv) Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) (Amendment) Regulation 2017 – amendments to references;
 - (v) Merchant Shipping (Safety) (Passenger Ship Construction) (Ships Built Before 1 September 1984) (Amendment) Regulation 2017 – amendments to references; and
 - (vi) Merchant Shipping (Safety) (Radio Installations Survey) (Amendment) Regulations 2017 – amendments to references.

5. The revised title of the Merchant Shipping (Safety) (Life-Saving Appliances and Arrangements, Musters and Training) Regulation (Cap. 369AY) necessitates consequential amendment to the definition of “*Musters Regulations*” in section 2(1) of the Merchant Shipping (Seafarers) (Official Log Books) (Amendment) Regulation 2017, in which the reference to the Merchant Shipping (Safety) (Musters and Training) Regulations (Cap. 369AI) is replaced with the Merchant Shipping (Safety) (Life-Saving Appliances and Arrangements, Musters and Training) Regulation (Cap. 369AY). To reflect the above consequential amendment, “The Merchant Shipping (Safety) (Musters and Training) Regulations” mentioned in page 4 to page 8 in Official Log Book is amended as “The Merchant Shipping (Safety) (Life-Saving Appliances and Arrangements, Musters and Training) Regulation”.

6. Shipowners, Ship Managers, Ship Operators, Masters, Classification Societies and Shipbuilders are required to take note and comply with the requirements of these new and amended regulations.

Marine Department
Multi-lateral Policy Division

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