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Part 1

Preliminary

1. Commencement
This Regulation comes into operation on 1 March 2019.

2. Interpretation
(1) In this Regulation—
Administration (主管機關) means—
   (a) in relation to a Hong Kong ship, the Director; or
   (b) in relation to a non-Hong Kong ship, the government of a place outside Hong Kong whose flag the ship is entitled to fly;
alteration (改動), for the purposes of the definition of constructed, means any repair, alteration or modification that is of a major character;
bulk carrier (散裝貨輪) means a ship that is constructed or adapted primarily to carry dry cargo in bulk, and includes an ore carrier and combination carrier;
Cap. 369AM (《第369AM章》) means the Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. AM);
Merchant Shipping (Safety) (Construction and Survey) Regulation

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Cap. 369S (《第369S章》) means the Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. S);

cargo ship (貨船) means a ship other than a passenger ship;

Chapter II-1 (《第II-1章》) means Chapter II-1 of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

constructed (建造), in relation to a ship, means the stage at which—

(a) the keel of the ship is laid;

(b) construction identifiable with the ship begins and assembly of the ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is less;

(c) if the ship has undergone only one alteration—the alteration commences; or

(d) if the ship has undergone 2 or more alterations—the latest alteration commences;

Convention (《公約》) means the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;

gas carrier (氣體運輸船) has the meaning given by regulation 2(1) of the Merchant Shipping (Safety) (Gas Carriers) Regulations (Cap. 369 sub. leg. Z);

Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers (《散装貨輪及油輪建造標準》) means the International Goal-based Ship Construction Standards for
《369AM章》(Cap. 369AM) 指《商船(安全)(客船構造及検验)(1984年9月1日或之後建造的船舶)規例》(第369章，附屬法例AM)；

《369S章》(Cap. 369S) 指《商船(安全)(貨船構造及検验)(1984年9月1日或之後建造的船舶)規例》(第369章，附屬法例S)；

《II-1章》(Chapter II-1) 指《公約》附件第II-1章，而凡不時有對該章作出任何修改或修訂，而該等修改或修訂適用於香港，則以該章經該等修改或修訂的版本為準；

貨船(cargo ship) 指不屬客船的船舶；

散裝貨輪(bulk carrier) 指為主要用於運載散裝乾貨而建造或改裝的船舶，並包括礦石船及油輪/散貨兩用船；

《散裝貨輪及油輪建造標準》(Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers) 指國際海事組織海上安全委員會藉MSC.287(87)號決議通過的《散裝貨輪及油輪國際目標型船舶建造標準》(此為“International Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers”的譯名)。而凡不時有對該標準作出任何修改或修訂，而該等修改或修訂適用於香港，則以該標準經該等修改或修訂的版本為準；

無人看管的機艙(unattended machinery space) 就船舶而言，指當該船舶在海上正常操作時，有任何時段沒有編配入手看管的機艙；

機艙(machinery space) 具有《II-1章》第3條所給予的涵義。

(2) 就本規例而言，改裝成客船的貨船，須視為在該項改裝開始進行的日期建造的客船。

Bulk Carriers and Oil Tankers, adopted by the Maritime Safety Committee of the IMO by Resolution MSC.287(87), as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

Hong Kong ship (香港船) means a ship registered in Hong Kong;

IMO means the International Maritime Organization;

machinery space (機艙) has the meaning given by regulation 3 of Chapter II-1;

non-Hong Kong ship (非香港船) means a ship other than a Hong Kong ship;

oil tanker (油輪) has the meaning given by regulation 2 of Chapter II-1;

post-2009 ship (2009年後建造的船) means a ship constructed on or after 1 January 2009;

pre-2009 ship (2009年前建造的船) means a ship constructed before 1 January 2009;

specified cargo ship (指定貨船) means a cargo ship constructed on or after 1 July 2002 and before 1 January 2009;

specified passenger ship (指定客船) means a passenger ship constructed on or after 1 July 2002 and before 1 January 2009;

unattended machinery space (無人看管的機艙), in relation to a ship, means a machinery space which during the normal operation of the ship at sea is unmanned for any period;

watertight (水密) has the meaning given by regulation 2 of Chapter II-1.

(2) For the purposes of this Regulation, a cargo ship converted into a passenger ship is to be regarded as a passenger ship constructed on the date on which the conversion commences.
3. **Application of this Regulation**

(1) This Regulation applies to—

(a) a Hong Kong ship (wherever it is) engaged in an international voyage; and

(b) a non-Hong Kong ship that is—

   (i) engaged in an international voyage; and
   (ii) within the waters of Hong Kong.

(2) However, this Regulation does not apply to—

(a) a warship or troopship;

(b) a ship not propelled by mechanical means;

(c) a wooden ship of primitive build;

(d) a cargo ship of less than 500 gross tonnage;

(e) a pleasure vessel not engaged in trade;

(f) a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;

(g) a high speed craft to which the Merchant Shipping (Safety) (High Speed Craft) Regulation (Cap. 369 sub. leg. AW) applies;

(h) a local vessel as defined by section 2 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (other than a local vessel referred to in section 3(4) of that Ordinance); and

(i) a non-Hong Kong ship flying the flag of a State that is not a Convention country if the ship is within the waters of Hong Kong due to—

   (i) stress of weather; or
(ii) any other circumstances that could not have been prevented or forestalled by the owner or master of the ship.

(3) In this section—

**Convention country** (公約國) means a country that is a party to the Convention;

**gross tonnage** (總噸位), in relation to a ship, means the gross tonnage of the ship determined in accordance with the Merchant Shipping (Registration) (Tonnage) Regulations (Cap. 415 sub. leg. C);

**international voyage** (國際航程) means—

(a) a voyage between Hong Kong and a port outside the People’s Republic of China; or

(b) a voyage between a port in a Convention country and a port outside that country (whether in another Convention country or not);

**pleasure vessel** (遊樂船隻) means a vessel (other than a passenger ship) primarily used for sport or recreation.
Part 2

General Requirements on Construction and Structure, Subdivision and Stability, Machinery and Electrical Installations of Ships

Division 1—Construction and Structure of Ships

4. Construction and structure

(1) A post-2009 ship—
(a) must be designed, constructed, equipped and maintained; and
(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s construction and structure specified in regulations 3-2, 3-3, 3-4 (except regulation 3-4.2.1), 3-6, 3-7, 3-8, 3-9, 3-10 (except regulation 3-10.3), 3-11 and 3-12 of Chapter II-1.

(2) A pre-2009 ship—
(a) must be designed, constructed, equipped and maintained; and
(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s construction and structure specified in regulations 3-2, 3-4 (except regulation 3-4.2.1), 3-6, 3-7 and 3-8 of Chapter II-1.

(3) For the purposes of subsections (1) and (2), the applicable requirements on the ship’s construction and structure specified in regulation 3-8 of Chapter II-1 are regarded as having been complied with in relation to a ship if the
arrangements, equipment and fittings of the ship comply with the applicable requirements specified in the guidelines issued by the IMO relating to the towing and mooring of the ship.

(4) For the purposes of subsection (1), the applicable requirements on the ship's construction and structure specified in regulation 3-10.2 of Chapter II-1 are regarded as having been complied with in relation to a post-2009 ship if the design, construction and equipment of the ship comply with the functional requirements specified in the Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers.

5. No asbestos in materials used for structure etc. of ships

Materials installed on a ship on or after 1 March 2019 that are used for the structure, machinery, electrical installations or equipment of the ship must not contain asbestos.

6. Subdivision and stability

(1) A post-2009 ship—

(a) must be designed, constructed, subdivided, equipped and maintained; and

(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship's subdivision and stability specified in regulations 4, 5, 5-1, 6, 7, 7-1, 7-2, 7-3, 8 and 8-1 of Chapter II-1.

(2) A post-2009 ship must have on board the ship—

(a) the stability information relating to the ship in compliance with the applicable requirements specified in regulation 5-1 of Chapter II-1; and
7. 分艘、水密及風雨密完整性

(1) 2009年後建造的船舶，須按照《II-1章》第9、10、11、12、13、13-1、14、15、15-1、16、16-1、17、17-1及18條對該船舶的分艙、水密完整性及風雨密完整性所指明的適用規定而設計、構造、分艙、裝備和保養。

(2) 須就2009年後建造的船舶而採取《II-1章》第17條規定的所有合理和切實可行的措施，以限制水從艙壁甲板之上進入和限制水在該甲板上流布。

(3) 2009年前建造的船舶，須按照《II-1章》第16條對該船舶的分艙、水密完整性及風雨密完整性所指明的適用規定而設計、構造、分艙、裝備和保養。

(4) 在本條中——

風雨密 (weathertight) 具有《II-1章》第2條所給予的涵義。

(b) if the ship is altered to the extent that materially affects its stability information—the amended stability information as altered.

(3) The Administration must be provided with the stability information relating to a post-2009 ship, and, if applicable, the amended stability information relating to the ship mentioned in subsection (2)(b), in compliance with the applicable requirements specified in regulation 5-1 of Chapter II-1.

7. Subdivision, watertight and weathertight integrity

(1) A post-2009 ship must be designed, constructed, subdivided, equipped and maintained in accordance with the applicable requirements on the ship’s subdivision, watertight and weathertight integrity specified in regulations 9, 10, 11, 12, 13, 13-1, 14, 15, 15-1, 16, 16-1, 17, 17-1 and 18 of Chapter II-1.

(2) All reasonable and practicable measures as required under regulation 17 of Chapter II-1 must be taken in respect of a post-2009 ship to limit the entry and spread of water above the bulkhead deck.

(3) A pre-2009 ship must be designed, constructed, subdivided, equipped and maintained in accordance with the applicable requirements on the ship’s subdivision, watertight and weathertight integrity specified in regulation 16 of Chapter II-1.

(4) In this section—

weathertight (風雨密) has the meaning given by regulation 2 of Chapter II-1.
8. Stability management

(1) A post-2009 ship—
   (a) must be designed, constructed, equipped and maintained; and
   (b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship's stability management specified in regulations 19, 22-1, 25.2, 25.3 and 25.4 of Chapter II-1.

(2) A pre-2009 ship must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the ship's stability management specified in regulations 25.2, 25.3 and 25.4 of Chapter II-1.

9. Machinery installations and equipment

(1) A post-2009 ship must comply with the applicable requirements on—
   (a) the ship's machinery installations and equipment; and
   (b) the provision on board the ship of plans and information, specified in regulations 26, 27, 28, 29 (except regulations 29.19 and 29.20), 30, 31, 32, 33, 34, 35, 35-1, 37, 38 and 39 of Chapter II-1.

(2) A pre-2009 ship must comply with the applicable requirements on—
   (a) the ship's machinery installations and equipment; and
   (b) the provision on board the ship of plans and information, specified in regulations 26, 31 and 37 of Chapter II-1.
10. Electrical installations

(1) A post-2009 ship must comply with the applicable requirements on the ship’s electrical installations specified in regulations 40, 41, 42, 42-1.1, 42-1.2, 43, 44 and 45 of Chapter II-1.

(2) A pre-2009 ship must comply with the applicable requirements on the ship’s electrical installations specified in regulations 41, 42, 42-1.1, 42-1.2, 43, 44 and 45 of Chapter II-1.

11. Periodically unattended machinery spaces

(1) This section applies to a ship that has periodically unattended machinery spaces.

(2) A cargo ship must comply with the applicable requirements on periodically unattended machinery spaces specified in regulations 46, 47, 48, 49, 50, 51, 52 and 53 of Chapter II-1.

(3) A passenger ship must comply with the applicable requirements on periodically unattended machinery spaces that are approved by the Administration.

(4) The Administration may approve the requirements under subsection (3) if the requirements conform to the safety standards equivalent to those standards on attended machinery spaces applicable to ships that have such spaces.

(5) In this section—

attended machinery space (有人看管的機艙), in relation to a ship, means a machinery space other than an unattended machinery space.
第 2 分部——船舶的安全操作

12. 緊急拖曳程序
船舶的船長，須確保遵照第 II-1 章第 3-4 條 (第 3-4.2.1 條除外) 所指明的適用規定，在該船舶上備有該船舶專用的緊急拖曳程序，以供在緊急情況下使用。

13. 進出貨物區艙間及貨物區艙間內部的手冊
船舶的船東及船長，須確保遵照第 II-1 章第 3-6 條所指明的適用規定，在該船舶上備存該船舶的《船舶結構通道手冊》（屬已更新版本）。

14. 建造繪圖及圖則
(1) 船舶的船東及船長，須確保遵照第 II-1 章第 3-7.1 條，在該船舶上備存一套該條所指明的建造該船舶的建造繪圖及圖則。
(2) 船舶的船東，須確保遵照第 II-1 章第 3-7.1 條，在岸上備存一套該船舶的建造繪圖及圖則。

15. 登上和離開船舶的設施
2009 年後建造的船舶的船東及船長，須確保遵照第 II-1 章第 3-9 條所指明的適用規定，對登上和離開該船舶的設施，予以檢查和保養。

Division 2—Safety Operation of Ships

12. Emergency towing procedures
The master of a ship must ensure that an emergency towing procedure specific to the ship is provided on the ship for use in emergency situations in compliance with the applicable requirements specified in regulation 3-4 (except regulation 3-4.2.1) of Chapter II-1.

13. Manual for access to and within spaces in cargo area
The owner and the master of a ship must ensure that an updated copy of ship structure access manual of the ship is kept on the ship in compliance with the applicable requirements specified in regulation 3-6 of Chapter II-1.

14. Construction drawings and plans
(1) The owner and the master of a ship must ensure that a set of the as-built construction drawings and plans of the ship specified in regulation 3-7.1 of Chapter II-1 is kept on the ship in compliance with that regulation.
(2) The owner of a ship must ensure that another set of the as-built construction drawings and plans of the ship is kept on shore in compliance with regulation 3-7.1 of Chapter II-1.

15. Means of embarkation and disembarkation
The owner and the master of a post-2009 ship must ensure that the means of embarkation on and disembarkation from the ship are inspected and maintained in compliance with the applicable requirements specified in regulation 3-9 of Chapter II-1.
16. **Ship Construction File**

The owner and the master of a post-2009 ship must ensure that the applicable requirements on the Ship Construction File relating to the application of the Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers specified in regulation 3-10 of Chapter II-1 are complied with in relation to the ship.

17. **Protection against noise**

The owner of a ship must ensure that the applicable requirements on the measures to reduce machinery noise, the insulation or insolation of source of excessive noise and the provision of ear protector specified in regulation 3-12 of Chapter II-1 are complied with in relation to the ship.

18. **Intact stability**

The owner of a post-2009 ship must ensure that the applicable requirements on the marking of scales of draughts specified in regulation 5.6 of Chapter II-1 are complied with in relation to the ship.

19. **Operational information after flooding casualty**

The owner of a post-2009 ship must ensure that the applicable requirements on the operational information after a flooding casualty specified in regulation 8-1 of Chapter II-1 are complied with in relation to the ship.

20. **Affixing notice to closing appliances**

The master of a post-2009 ship must ensure that the applicable requirements on the affixing of a notice to closing appliances specified in regulation 15-1.4 of Chapter II-1 are complied with in relation to the ship.
21. Load lines marks

(1) The owner of a post-2009 ship must ensure that the applicable requirements on the assigning and marking of subdivision load line specified in regulation 18 of Chapter II-1 are complied with in relation to the ship.

(2) The master of the ship must ensure that the subdivision load line assigned and marked is recorded on the general safety certificate issued under section 15(1) of the Ordinance in respect of the ship.

(3) The master of the ship must ensure that the ship is not loaded so as to submerge the load line mark or the subdivision load line mark in contravention of regulation 18 of Chapter II-1.

Division 3—Stability Management of Ships

22. Loading before departure

(1) On completion of loading of a post-2009 ship and before its departure from a port, the master of the ship must determine the ship’s trim and stability, and ascertain the ship’s stability criteria and make such a record in compliance with the applicable requirements specified in regulation 20 of Chapter II-1.

(2) The master of the ship must ensure that ballast water is not carried in tanks intended for oil fuel except where oily water separating equipment is fitted or alternative means for disposing the oily water is provided as specified in regulation 20.2 of Chapter II-1.

23. Operation and inspection of watertight doors etc.

The master of a post-2009 ship must ensure that the applicable requirements on the conducting of drills, the operation and
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Section 24

Merchant Shipping (Safety) (Construction and Survey) Regulation

2018年第248号法律公告
B6436
第2部——第3分部
第24条

以及在航海日志内记录的符合演习、操作和检查所指明的适用规定，就该船舶而获遵守。

24. 防止和控制入水等
2009年后建造的船舶的船长，须确保《第II-1章》第22及24条对所有水密门及其他门及开口的附件、关闭及开启所指明的适用规定，以及对在航海日志内记录在任何航程中关于上述各项的操作情况所指明的适用规定，就该船舶而获遵守。

25. 2009年后建造的滚装客船的特别规定
(1) 本条适用于滚装客船(并属2009年后建造的船舶)。
(2) 船舶的船东及船长，须确保《第II-1章》第23条对舱间监控和有关通道的操作程序及安排所指明的适用规定，以及对在航海日志内记录有关关闭通道的资料所指明的适用规定，就该船舶而获遵守。
(3) 在本条中——
滚装客船(ro-ro passenger ship)指设有货舱或车辆的客船，而在该等舱间内，货物或车辆能以水平方向装卸。

inspection of watertight doors and closing mechanisms, and the recording of such drill, operation and inspection in the log-book specified in regulation 21 of Chapter II-1 are complied with in relation to the ship.

24. Prevention and control of water ingress etc.
The master of a post-2009 ship must ensure that the applicable requirements on the fitting, closure and opening of all watertight doors and other doors and openings and the recording of the operation on any voyage in the log-book specified in regulations 22 and 24 of Chapter II-1 are complied with in relation to the ship.

25. Special requirements for post-2009 ro-ro passenger ships
(1) This section applies to a post-2009 ship that is a ro-ro passenger ship.
(2) The owner and the master of a ship must ensure that the applicable requirements on the monitoring of spaces, operating procedures and arrangement relating to accesses, and the recording of closure of access in the log-book specified in regulation 23 of Chapter II-1 are complied with in relation to the ship.
(3) In this section——
ro-ro passenger ship (滚装客船) means a passenger ship provided with cargo or vehicle spaces in which cargoes or vehicles can be loaded or unloaded in a horizontal direction.
第 4 分部——電力裝設及對有定時無人看管的機艙的船舶的規定

26. 應急電源
船舶的船長，須確保《第 II-1 章》第 42 及 43 條對為該船舶提供電力的整個應急系統的測試所指明的適用規定，就該船舶而獲遵從。

27. 定時無人看管的機艙的文件規定
(1) 本條適用於有定時無人看管的機艙的船舶。
(2) 船舶的船長，須確保在該船舶上備存符合《第 II-1 章》第 46 條規定的文件證據，該等證據須顯示該船舶在有定時無人看管的機艙的情況下，是否適合操作。

第 5 分部——雜項條文

28. 使用低閃點燃料
(1) 如以下情況均符合，船舶（指明船舶除外）可使用低閃點燃料——
   (a) 處長由於信納《國際氣體燃料規則》所指明的適用規定就該船舶而獲遵從，批准該船舶使用低閃點燃料；及
   (b) 《國際氣體燃料規則》對使用低閃點燃料的機械、設備及系統的布置、裝設、控制和監察所指明的適用規定，就該船舶而獲遵從。

Division 4—Electrical Installations and Requirements on Ships that have Periodically Unattended Machinery Spaces

26. Emergency source of electrical power
The master of a ship must ensure that the applicable requirements on the testing of the complete emergency system for providing electrical power in the ship specified in regulations 42 and 43 of Chapter II-1 are complied with in relation to the ship.

27. Documentary requirements on periodically unattended machinery spaces
(1) This section applies to a ship that has periodically unattended machinery spaces.
(2) The master of a ship must ensure that documentary evidence showing the ship’s fitness of operation with periodically unattended machinery spaces is kept on the ship in compliance with regulation 46 of Chapter II-1.

Division 5—Miscellaneous Provisions

28. Use of low-flashpoint fuel
(1) A ship (other than a specified ship) may use low-flashpoint fuel if—
   (a) the use is approved by the Director on being satisfied that the applicable requirements specified in the IGF Code are complied with in relation to the ship; and
   (b) the applicable requirements on the arrangement, installation, control and monitoring of machinery, equipment and systems using low-flashpoint fuel specified in the IGF Code are complied with in relation to the ship.
(2) The owner and the master of a ship (other than a specified ship) that uses low-flashpoint fuel must ensure that the applicable requirements on the testing, drills, emergency exercises and operations specified in the IGF Code are complied with in relation to the ship.

(3) In this section—

**IGC Code** (《國際氣體規則》) means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk set out in the Annex to Resolution MSC.5(48) adopted by the Maritime Safety Committee of the IMO on 17 June 1983, as from time to time revised or amended by any revision or amendment to any provision of such Code that applies to Hong Kong;

**IGF Code** (《國際氣體燃料規則》) means the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels set out in the Annex to Resolution MSC.391(95) adopted by the Maritime Safety Committee of the IMO on 11 June 2015, as from time to time revised or amended by any revision or amendment to any provision of such Code that applies to Hong Kong;

**low-flashpoint fuel** (低閃點燃料) means gaseous or liquid fuel that has a flashpoint lower than that permitted under regulation 4.2.1.1 of Chapter II-2 of the Annex to the Convention as from time to time revised or amended by any revision or amendment to that regulation that applies to Hong Kong;

**specified ship** (指明船舶) means—

(a) a gas carrier in relation to which the applicable requirements of the IGC Code are complied with; or

(b) a ship that is owned or operated by—
29. **Navigation bridge visibility**

(1) A ship constructed on or after 1 July 1998 must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the navigation bridge visibility specified in regulation 22 of Chapter V.

(2) A ship constructed before 1 July 1998 must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the navigation bridge visibility specified in regulation 22.2 of Chapter V.

(3) If ballast water exchange is undertaken to ensure a proper lookout at the navigation bridge of a ship, the master of the ship must ensure that the applicable requirements on the operation of ballast water exchange and the recording of the operation specified in regulation 22 of Chapter V are complied with in relation to the ship.

(4) In this section—

*Chapter V* (《第 V 章》) means Chapter V of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong.
Division 6—Passenger Ship Construction Regulations, Cargo Ship Construction and Survey Regulations, Offences and Penalties

30. Several provisions are passenger ship construction regulations
In so far as passenger ships registered in Hong Kong are concerned, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 28 and 29 are passenger ship construction regulations for the purposes of section 94 of the Ordinance.

31. Several provisions are cargo ship construction and survey regulations
In so far as cargo ships registered in Hong Kong are concerned, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 28 and 29 are cargo ship construction and survey regulations for the purposes of section 96 of the Ordinance.

32. Offences in relation to cargo ships registered in Hong Kong under Part 2
If section 4(1) or (2), 5, 6, 7, 8, 9, 10, 11(2), 28(1) or 29(1) or (2) is contravened in relation to a cargo ship registered in Hong Kong, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.

33. Offences in relation to non-Hong Kong ships under Part 2
If section 4(1) or (2), 5, 6, 7, 8, 9, 10, 11(2) or (3), 28(1) or 29(1) or (2) is contravened in relation to a non-Hong Kong ship, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.
34. **Other offences under Part 2**  
A person who contravenes section 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25(2), 26, 27(2), 28(2) or 29(3) commits an offence and is liable to a fine at level 3.
Part 3
Additional Requirements for Ships Constructed on or after 1 July 2002 and before 1 January 2009

Division 1—Preliminary

35. Interpretation of Part 3
In this Part—

specified Chapter II-1 (《第 II-1 章指明版》) means Chapter II-1 of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by the following instruments adopted by the IMO that apply to Hong Kong—

(a) the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 17 February 1978;

(b) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 11 November 1988;

(c) Resolutions MSC.1(XLV), MSC.2(XLV), MSC.6(48), MSC.11(55) and MSC.12(56);

(d) Resolution 1 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 on the Global Maritime Distress and Safety System adopted on 9 November 1988;

(e) Resolutions MSC.13(57), MSC.19(58), MSC.26(60) and MSC.27(61);
36. Additional requirements for specified cargo ships and specified passenger ships

(1) A specified cargo ship must comply with—
   (a) the requirements imposed under Cap. 369S (except Part VI (survey) of Cap. 369S) in respect of a ship as if the requirements were imposed on a specified cargo ship; and
   (b) the requirements imposed in respect of a specified cargo ship under Part 2 and this Part.

(2) A specified passenger ship must comply with—
   (a) the requirements imposed under Cap. 369AM (except Part VII (surveys and certification) of Cap. 369AM) in respect of a ship as if the requirements were imposed on a specified passenger ship; and
   (b) the requirements imposed in respect of a specified passenger ship under Part 2 and this Part.
Part 3—Division 2
Section 37

37. Construction and initial testing of watertight bulkheads

(1) A specified cargo ship must comply with the applicable requirements on the construction and initial testing of the watertight bulkheads specified in regulation 14.3 of specified Chapter II-1.

(2) A specified passenger ship must comply with the applicable requirements on the construction and initial testing of the watertight bulkheads specified in regulation 14.3 of specified Chapter II-1.

38. Emergency source of electrical power in tankers

(1) A specified tanker must comply with the applicable requirements on the provision of emergency lighting in all cargo pump rooms specified in regulation 43 of specified Chapter II-1.

(2) In this section—

specified tanker (指明液貨船) means the following ship that is constructed on or after 1 July 2002 and before 1 January 2009—

第 2 分部——船舶的構造及結構

37. 水密艙壁的構造及初次測試

(1) 指明貨船須符合第 II-1 章指明版第 14.3 條對水密艙壁的構造及初次測試所指明的適用規定。

(2) 指明客船須符合第 II-1 章指明版第 14.3 條對水密艙壁的構造及初次測試所指明的適用規定。

38. 液貨船內的應急電源

(1) 指明液貨船須符合第 II-1 章指明版第 43 條對在所有貨泵房內提供應急照明所指明的適用規定。

(2) 在本條中——

指明液貨船 (specified tanker) 指在 2002 年 7 月 1 日或之後而在 2009 年 1 月 1 日之前建造的以下船舶——

(3) 然而，如根據第 2 部及本部就某標的施加的規定 (新規定)，與根據以下規例就相同標的施加的規定 (其他規定) 有不一致之處——

(a) 就指明貨船而言——《第 369S 章》; 或
(b) 就指明客船而言——《第 369AM 章》,
則在該項不一致之處的範圍內，新規定凌駕於其他規定。
Part 3—Division 3

Section 39

(a) a tanker;
(b) an oil tanker;
(c) a gas carrier; or
(d) a chemical tanker as defined by regulation 3 of Chapter II-1;

tanker (液货船) means a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.

Division 3—Passenger Ship Construction Regulations, Cargo Ship Construction and Survey Regulations, Offences and Penalties

39. Several provisions are passenger ship construction regulations

In so far as passenger ships registered in Hong Kong are concerned, sections 35, 36 and 37 are passenger ship construction regulations for the purposes of section 94 of the Ordinance.

40. Several provisions are cargo ship construction and survey regulations

In so far as cargo ships registered in Hong Kong are concerned, sections 35, 36, 37 and 38 are cargo ship construction and survey regulations for the purposes of section 96 of the Ordinance.

41. Offences in relation to cargo ships registered in Hong Kong under Part 3

If section 36(1), 37(1) or 38(1) is contravened in relation to a cargo ship registered in Hong Kong, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.
42. Offences in relation to non-Hong Kong ships under Part 3

If section 36, 37 or 38(1) is contravened in relation to a non-Hong Kong ship, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.
Part 4—Division 1

Section 43

Interpretation of Part 4

In this Part—

*Chapter XII* (《第 XII 章》) means Chapter XII of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

*solid bulk cargo* (固體散裝貨物) means any cargo, other than liquid cargo or gas cargo, consisting of a combination of particles, granules or any larger pieces of material generally uniform in composition, which is loaded directly into the cargo spaces of a ship without any intermediate form of containment.

Application of Part 4

This Part applies to bulk carriers regardless of their date of construction.

Damage stability

A bulk carrier designed to carry solid bulk cargoes must comply with the applicable requirements on the damage stability specified in regulations 4.1, 4.2, 4.4, 4.5, 4.6 and 4.7 of Chapter XII.
46. **Structural strength**

A bulk carrier designed to carry solid bulk cargoes must be so constructed to have sufficient strength to withstand flooding in the cargo holds in compliance with the applicable requirements specified in regulation 5 of Chapter XII.

47. **Structure and design**

A bulk carrier designed to carry solid bulk cargoes must comply with the applicable requirements on the structure and design specified in regulations 6.2, 6.3 and 6.4 of Chapter XII.

48. **Survey and maintenance**

1. A bulk carrier must not carry any solid bulk cargo unless it has satisfactorily undergone either of the following surveys in compliance with the applicable requirements specified in regulation 7 of Chapter XII—
   - a periodic survey;
   - a survey of all cargo holds of the bulk carrier.

2. A bulk carrier must comply with the applicable maintenance requirements specified in regulation 7 of Chapter XII.

49. **Information on compliance with requirements**

1. A bulk carrier must have on board the carrier a booklet specified in regulation 8.1 of Chapter XII endorsed by the Administration indicating that sections 45, 46, 47 and 48 are complied with in relation to the bulk carrier.

2. A bulk carrier to which the restrictions on carriage of cargo specified in regulation 8 of Chapter XII apply must comply with the applicable requirements on the marking of the bulk carrier’s side specified in that regulation.
50. **Loading instrument**

(1) A bulk carrier must be fitted with a loading instrument capable of providing information in compliance with the applicable requirements specified in regulations 11.1 and 11.3 of Chapter XII.

(2) The computer software forming part of the loading instrument providing information on the bulk carrier's stability in intact position must be approved by the Administration based on the guidelines relating to the onboard use and application of computers.

51. **Water level detector**

A bulk carrier must be fitted with water level detectors that can give audible and visual alarms in cargo holds and ballast tanks in compliance with the applicable requirements specified in regulations 12.1 and 12.2 of Chapter XII.

52. **Pumping systems**

A bulk carrier must comply with the applicable requirements on the availability of pumping systems specified in regulation 13.1 of Chapter XII.

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**Division 3—Offences and Penalties**

53. **Offences under Part 4**

If section 45, 46, 47, 48, 49, 50, 51 or 52 is contravened in relation to a bulk carrier, the owner and the master of the bulk carrier each commits an offence and is liable to a fine at level 3.
Survey of Passenger Ships and Cargo Ships

Division 1—Preliminary

54. Interpretation of Part 5

In this Part—

anniversary date (周年日期), in relation to a Safety Certificate that is in force in respect of a ship, means the day and month of each year which corresponds to the date of expiry of the Certificate;

applicable requirements for post-2009 cargo ship (2009年後貨船適用規定), in relation to a post-2009 cargo ship, means the requirements imposed in respect of the ship under—

(a) Part 2; and
(b) the regulations referred to in section 21A(1) of the Ordinance;

applicable requirements for post-2009 passenger ship (2009年後客船適用規定), in relation to a post-2009 passenger ship, means the requirements imposed in respect of the ship under—

(a) Part 2; and
(b) the regulations referred to in section 15(1) of the Ordinance;

applicable requirements for specified cargo ship (指明貨船適用規定), in relation to a specified cargo ship, means the requirements imposed in respect of the ship under—

(a) Parts 2 and 3; and
Part 5—Division 1
Section 54

(b) the regulations referred to in section 21A(1) of the Ordinance;

applicable requirements for specified passenger ship (指明客船適用規定)，in relation to a specified passenger ship, means the requirements imposed in respect of the ship under—
(a) Parts 2 and 3; and
(b) the regulations referred to in section 15(1) of the Ordinance;

Cargo Ship Safety Certificate (貨船安全證明書) means a certificate issued under section 21A of the Ordinance;

Cargo Ship Safety Construction Certificate (貨船構造安全證明書) means a certificate issued under section 21(1) of the Ordinance;

Chapter I (《第1章》) means Chapter I of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

Government surveyor (政府驗船師) means a Government surveyor appointed under section 5 of the Ordinance;

Passenger Ship Safety Certificate (客船安全證明書) means a general safety certificate issued under section 15(1) of the Ordinance;

post-2009 cargo ship (2009年後建造的貨船) means a cargo ship constructed on or after 1 January 2009;

post-2009 passenger ship (2009年後建造的客船) means a passenger ship constructed on or after 1 January 2009;

prescribed fee (訂明費用), in relation to a matter, means the fee prescribed for the matter in the Merchant Shipping (Fees) Regulations (Cap. 281 sub. leg. F);

Safety Certificate (安全證書) means—
(a) in relation to a passenger ship—a Passenger Ship Safety Certificate; or
(b) in relation to a cargo ship—
   (i) a Cargo Ship Safety Certificate; or
   (ii) a Cargo Ship Safety Construction Certificate.

55. Application of Part 5
This Part applies to a Hong Kong ship constructed on or after 1 July 2002.

Division 2—Application for Safety Certificates

56. Application for Safety Certificates
(1) An application under section 15, 21 or 21A of the Ordinance for a Safety Certificate in respect of a ship must be accompanied by the prescribed fee for the Certificate.
(2) A Passenger Ship Safety Certificate must be issued by the Director under section 15(1) of the Ordinance in respect of a passenger ship if the Director is satisfied—
(a) that—
   (i) if a Passenger Ship Safety Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 65; or
   (ii) if a Passenger Ship Safety Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 66; and
(b) 基於有根據第 65(3)、66(4) 或 67(2) 條送交處長的檢驗聲明作為證據，處長——

(i) 就指明客船而言——該船舶符合指明客船適用規定；或

(ii) 就 2009 年後建造的客船而言——該船舶符合 2009 年後客船適用規定。

(3) 處長須根據本條例第 21A 條就貨船發出貨船安全證明書，前提是處長——

(a) 信納——

(i) 如該船舶從未獲發貨船安全證明書——該船舶的初次檢查，已按照第 68 條進行；或

(ii) 如該船舶曾獲發貨船安全證明書——該船舶的換證檢查，已按照第 69 條進行；及

(b) 基於有根據第 68(3)、69(4) 或 72(2) 條送交處長的檢驗聲明作為證據，信納——

(i) 就指明貨船而言——該船舶符合指明貨船適用規定；或

(ii) 就 2009 年後建造的貨船而言——該船舶符合 2009 年後貨船適用規定。

(b) that, on the evidence of a declaration of survey forwarded to the Director under section 65(3), 66(4) or 67(2)—

(i) for a specified passenger ship—it complies with the applicable requirements for specified passenger ship; or

(ii) for a post-2009 passenger ship—it complies with the applicable requirements for post-2009 passenger ship.

(3) A Cargo Ship Safety Certificate must be issued by the Director under section 21A of the Ordinance in respect of a cargo ship if the Director is satisfied——

(a) that—

(i) if a Cargo Ship Safety Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 68; or

(ii) if a Cargo Ship Safety Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 69; and

(b) that, on the evidence of a declaration of survey forwarded to the Director under section 68(3), 69(4) or 72(2)—

(i) for a specified cargo ship—it complies with the applicable requirements for specified cargo ship; or

(ii) for a post-2009 cargo ship—it complies with the applicable requirements for post-2009 cargo ship.
(4) A Cargo Ship Safety Construction Certificate must be issued by the Director under section 21(1) of the Ordinance in respect of a cargo ship if the Director is satisfied—

(a) that—

(i) if a Cargo Ship Safety Construction Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 68; or

(ii) if a Cargo Ship Safety Construction Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 69; and

(b) that, on the evidence of a declaration of survey forwarded to the Director under section 68(3), 69(4) or 72(2)—

(i) for a specified cargo ship—it complies with the requirements imposed in respect of the ship under Parts 2 and 3; or

(ii) for a post-2009 cargo ship—it complies with the requirements imposed in respect of the ship under Part 2.

Division 3—Duration of Safety Certificates

57. Duration of Safety Certificates from date of issue

Subject to this Division and Division 4—

(a) a Passenger Ship Safety Certificate is valid for the period specified by the Director in the Certificate in accordance with section 26(2) of the Ordinance; and
58. **Duration of Safety Certificates issued after renewal surveys**

A new Safety Certificate issued in respect of a ship as a result of a renewal survey of the ship carried out in accordance with section 66 or 69 is valid for the period specified by the Director in the Certificate in accordance with section 26(3A) of the Ordinance.

59. **Duration of Safety Certificates after early completion of certain surveys of cargo ships**

(1) This section applies if—

(a) an intermediate survey of a cargo ship is completed before the period within which the survey is required to be carried out under section 70; or

(b) an annual survey of a cargo ship is completed before the period within which the survey is required to be carried out under section 71.

(2) After a survey of a cargo ship is completed as described in subsection (1), the existing Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship must be endorsed to show a date described in the endorsement as the “new anniversary date” (*new anniversary date*), which must be a date that is within 3 months from the date of completion of the survey.
(3) For the purposes of any intermediate survey or annual survey of the ship to be carried out under section 70 or 71 in any year after the endorsement, the period within which the survey must be carried out is to be ascertained by reference to the new anniversary date.

60. Extension of validity period of Safety Certificates
The Director may, in accordance with section 29 of the Ordinance, extend the validity period of an existing Safety Certificate issued in respect of a ship.

Division 4—Cessation and Cancellation of Safety Certificates

61. Safety Certificates cease to be valid
A Safety Certificate issued in respect of a ship ceases to be valid if—

(a) for a passenger ship—a survey referred to in Division 6 is not carried out in respect of the ship before the expiry of the period specified for the survey in that Division;

(b) for a cargo ship—

(i) a survey or inspection referred to in Division 7 is not carried out in respect of the ship before the expiry of the period specified for the survey or inspection in that Division;

(ii) the Certificate is not endorsed under section 70 after an intermediate survey of the ship is carried out; or

(iii) the Certificate is not endorsed under section 71 after an annual survey of the ship is carried out; or

(a) 就客船而言——第 6 分部所述的某項檢驗，沒有在該分部中就該項檢驗而指明的期間届滿前，就該船舶而進行；

(b) 就貨船而言——

(i) 第 7 分部所述的某項檢驗或檢查，沒有在該分部中就該項檢驗或檢查而指明的期間届滿前，就該船舶而進行；

(ii) 在該船舶進行中間檢驗後，該證書上並無根據第 70 條作出的簽註；或

(iii) 在該船舶進行年度檢驗後，該證書上並無根據第 71 條作出的簽註；或

60. 延長安全證書的有效期
處長可按照本條例第 29 條，延長就船舶發出的現在安全證書的有效期。

第 4 分部——安全證書不再有效及取消證書

61. 安全證書不再有效
就船舶發出的安安證書，在下列情況下不再有效——

(a) 就客船而言——第 6 分部所述的某項檢驗，沒有在該分部中就該項檢驗而指明的期間屆滿前，就該船舶而進行；

(b) 就貨船而言——

(i) 第 7 分部所述的某項檢驗或檢查，沒有在該分部中就該項檢驗或檢查而指明的期間屆滿前，就該船舶而進行；

(ii) 在該船舶進行中間檢驗後，該證書上並無根據第 70 條作出的簽註；或

(iii) 在該船舶進行年度檢驗後，該證書上並無根據第 71 條作出的簽註；或
62. **Cancellation of Safety Certificates**

The Director may exercise the power under section 27 of the Ordinance to cancel a Safety Certificate issued in respect of a ship by giving a written notice to the owner and the master of the ship.

**Division 5—Alteration and Certified True Copies of Safety Certificates**

63. **Alteration of Safety Certificates**

(1) The owner of a ship in respect of which a Safety Certificate has been issued may request the Director to alter any of the particulars contained in the Certificate.

(2) The Director may refuse to make the alteration if the Director considers it to be a material alteration.

(3) If the Director agrees to make the alteration, the Director must, on payment of the prescribed fee, alter the Certificate.

64. **Certified true copies of Safety Certificates**

(1) The owner of a ship in respect of which a Safety Certificate has been issued may apply to the Director for the issue of a certified true copy of the Certificate.

(2) The application must be accompanied by the prescribed fee for the certified true copy.
Division 6—Surveys for Passenger Ships

65. Initial surveys for passenger ships

(1) An initial survey of a passenger ship is to be carried out by a Government surveyor—
   (a) before the ship is put into service; or
   (b) before a Passenger Ship Safety Certificate is issued for the first time in respect of the ship.

(2) An initial survey of a passenger ship must include a complete inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(3) If, after having carried out an initial survey of the ship, the Government surveyor is satisfied that it complies with—
   (a) for a specified passenger ship—the applicable requirements for specified passenger ship; or
   (b) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship,
   the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

66. Renewal surveys for passenger ships

(1) Subject to subsection (2), a renewal survey of a passenger ship is to be carried out by a Government surveyor within 1 year—
   (a) from the date of completion of the initial survey of the ship; or
   (b) if a renewal survey of the ship has been carried out—from the date of completion of the preceding renewal survey.
(2) If the validity period of the Passenger Ship Safety Certificate issued in respect of the ship has been extended under section 60, the period of 1 year referred to in subsection (1) is to be extended by the period for which the Certificate is extended.

(3) A renewal survey of a passenger ship must include an inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(4) If, after having carried out a renewal survey of the ship, the Government surveyor is satisfied that it complies with—

(a) for a specified passenger ship—the applicable requirements for specified passenger ship; or

(b) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship,

the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

67. Additional surveys for passenger ships

(1) If the Director intends to require, under section 23(3) or 27(2) of the Ordinance, a survey (whether general or partial) of a passenger ship to be carried out, the Director may, by written notice to the owner and the master of the ship, require the ship to be so surveyed by a Government surveyor within a reasonable period specified in the notice.

(2) If, after having carried out an additional survey of the ship, the Government surveyor is satisfied that—

(a) it complies with—

(i) for a specified passenger ship—the applicable requirements for specified passenger ship; or
(ii) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship; and

(b) if repairs or renewals have been made to the ship—

(i) the repairs or renewals have been effectively made; and

(ii) the material used in, and the workmanship of, the repairs or renewals are satisfactory, the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

Division 7—Surveys for Cargo Ships

68. Initial surveys for cargo ships

(1) An initial survey of a cargo ship is to be carried out by a Government surveyor—

(a) before the ship is put into service; or

(b) before a Cargo Ship Safety Certificate or a Cargo Ship Safety Construction Certificate is issued for the first time in respect of the ship.

(2) An initial survey of a cargo ship must include a complete inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(3) If, after having carried out an initial survey of the ship, the Government surveyor is satisfied that it complies with—

(a) for a Cargo Ship Safety Certificate—

(i) for a specified cargo ship—the applicable requirements for specified cargo ship; or

(ii) for a post-2009 cargo ship—the applicable requirements for post-2009 cargo ship; or

(ii) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship; and

(b) if repairs or renewals have been made to the ship—

(i) the repairs or renewals have been effectively made; and

(ii) the material used in, and the workmanship of, the repairs or renewals are satisfactory, the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

Division 7—Surveys for Cargo Ships
69. Renewal surveys for cargo ships

(1) Subject to subsection (2), a renewal survey of a cargo ship is to be carried out by a Government surveyor within 5 years—

(a) from the date of completion of the initial survey of the ship; or

(b) if a renewal survey of the ship has been carried out—from the date of completion of the preceding renewal survey.

(2) If the validity period of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship has been extended under section 60, the period of 5 years referred to in subsection (1) is to be extended by the period for which the Certificate is extended.

(3) A renewal survey of a cargo ship must include an inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(4) If, after having carried out a renewal survey of the ship, the Government surveyor is satisfied that it complies with—

(a) for a Cargo Ship Safety Certificate—
70. 中期检船

(1) 船船的中期检船，须由政府验船师在符合以下说道的期间内进行——

(a) 在就该船船发出的货船安全证明书或货船构造安全证明书的第二周年日期之前3个月开始，共在该第二周年日期之后3个月完结；或

(b) 在就该船船发出的货船安全证明书或货船构造安全证明书的第三周年日期之前3个月开始，共在该第三周年日期之后3个月完结。

(2) 船船的中期检船，须包括对该船船进行合《第1章》所指明的适用规定的检查。

70. Intermediate surveys for cargo ships

(1) An intermediate survey of a cargo ship is to be carried out by a Government surveyor—

(a) within the period commencing 3 months before, and ending 3 months after, the second anniversary date of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship; or

(b) within the period commencing 3 months before, and ending 3 months after, the third anniversary date of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship.

(2) An intermediate survey of a cargo ship must include an inspection of the ship in compliance with the applicable requirements specified in Chapter I.
（3）有關政府驗船師對有關船舶進行中期檢驗後，如信納——
  (a) 就貨船安全證明書而言——
     (i) 就指明貨船而言——該船舶符合指明貨船適用規定；或
     (ii) 就 2009 年後建造的貨船而言——該船舶符合 2009 年後貨船適用規定；或（b）就貨船構造安全證明書而言——
     (i) 就指明貨船而言——該船舶符合根據第 2 及 3 部就該船舶施加的規定；或
     (ii) 就 2009 年後建造的貨船而言——該船舶符合根據第 2 部就該船舶施加的規定，
             則該驗船師須在有關證明書上，作出表明其信納該事的
                       簽署。

71. Annual surveys for cargo ships

(1) Subject to subsection (2), an annual survey of a cargo ship is to be carried out by a Government surveyor within the period commencing 3 months before, and ending 3 months after, each anniversary date of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship.

(2) If an intermediate survey of the ship has been carried out under section 70 by reference to an anniversary date, the annual survey of the ship by reference to the anniversary date for the relevant year is not required to be carried out.

(3) An annual survey of a cargo ship must include a general inspection of the ship in compliance with the applicable requirements specified in Chapter I.
72. Additional surveys for cargo ships

(1) If the Director intends to require, under section 23(3) or 27(2) of the Ordinance, a survey (whether general or partial) of a cargo ship to be carried out, the Director may, by written notice to the owner and the master of the ship, require the ship to be so surveyed by a Government surveyor within a reasonable period specified in the notice.

(2) If, after having carried out an additional survey of the ship, the Government surveyor is satisfied that—

(a) it complies with—

(i) for a Cargo Ship Safety Certificate—

(A) for a specified cargo ship—the applicable requirements for specified cargo ship; or

(B) for a post-2009 cargo ship—the applicable requirements for post-2009 cargo ship; and

(ii) for a Cargo Ship Safety Construction Certificate—

(A) for a specified cargo ship—the requirements imposed in respect of the ship under Parts 2 and 3; or

(B) for a post-2009 cargo ship—the requirements imposed in respect of the ship under Part 2; and

(b) if repairs or renewals have been made to the ship—
(i) the repairs or renewals have been effectively made; and
(ii) the material used in, and the workmanship of, the repairs or renewals are satisfactory,
the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

73. Inspection of cargo ships’ bottoms

(1) The outside of a cargo ship’s bottom is to be subject to not less than 2 inspections by a Government surveyor during any 5-year period of validity of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate, and the interval between any 2 inspections must not exceed 36 months.

(2) Despite subsection (1), if the ship in respect of which a Cargo Ship Safety Certificate or a Cargo Ship Safety Construction Certificate has been issued—

(a) is, on the date when the Certificate expires, not in Hong Kong nor in a port in which it is to be surveyed; or
(b) is registered in Hong Kong and engaged in short voyages,
and in each case the Director has granted an extension of the validity period of the Certificate under section 60, a reference to 5-year period in subsection (1) is to be regarded as, in relation to the ship, the extended period of validity of the Certificate.

(3) An inspection of the ship’s bottom must comply with the applicable requirements specified in Chapter I.

(4) If, after having carried out the inspection, the Government surveyor is satisfied that the outside of the ship’s bottom
第8分部——加強檢驗散裝貨輪及油輪

第8分部——加強檢驗散裝貨輪及油輪

74. 加強檢驗散裝貨輪及油輪
(1) 散裝貨輪及油輪，須按照《第 XI-1 章》第2條所指明的適用規定，受加強檢查計劃規限。
(2) 在本條中——
《第 XI-1 章》(Chapter XI-1) 指《公約》附件第 XI-1 章，凡不時有對該章作出任何修改或修訂，而該等修改或修訂適用於香港，則以該章經該等修改或修訂的版本為準。
(b) 如認為，該船出海對海洋環境構成不合理的危
害威脅，
則可藉書面通知，規定獲發該證書的該船的船東或船
長，在該通知日期的期限內，採取該通知船長認為需要
的糾正行動。
(2) 有關政府驗船師在根據第 (1) 款發出通知後，須將發出
通知一事告知處長。
(3) 如在有關政府驗船師指明的限期內，沒有採取糾正行動，
則該通知船長須告知處長，而處長可向有關船舶的船東及
船長發出書面通知，撤回該船船長發出的安全證書（有關
證書）。
(4) 在收到第 (3) 款所指的通知後，有關船舶的船東及船長，
必須將有關證書交付處長。
(5) 在已就有關船舶採取有關糾正行動後，該船舶的船東或
船長可向處長提出申請，要求發還有關證書。
(6) 處長在收到第 (5) 款所指的申請後，如信納已就有關船
舶採取有關糾正行動，則須向有關申請人發出書面通知，
將有關證書發還該申請人。

第 10 分部——過渡及保留條文

76. 根據《第 369AM 章》發給及《第 369S 章》發出的證明書的過
渡及保留條文

(1) 就指定客船而發出的客船安全證明書 (首述證明書)，
如符合以下所有說明——

(a) 屬根據《第 369AM 章》第 83(1) 條就該船舶而發給
的證明書；

(b) the surveyor is of the opinion that the ship is not fit
to proceed to sea without presenting an unreasonable
threat of harm to the marine environment.

(2) The Government surveyor must, on giving a notice under
subsection (1), inform the Director of the notice.

(3) If a corrective action is not taken within the period
specified by the Government surveyor, the surveyor must
inform the Director and the Director may, by written
notice to the owner and the master of the ship, withdraw
the Safety Certificate issued in respect of the ship (relevant
Certificate).

(4) On receiving a notice under subsection (3), the owner and
the master of the ship must deliver the relevant Certificate
to the Director immediately.

(5) The owner or the master of the ship may, after the
corrective action in respect of the ship has been taken,
apply to the Director for the return of the relevant
Certificate.

(6) On receiving an application under subsection (5), if the
Director is satisfied that the corrective action in respect of
the ship has been taken, the Director must, by written
notice to the applicant, return the relevant Certificate to
the applicant.

Division 10—Transitional and Savings Provisions

76. Transitional and savings provisions for certificates issued under
Cap. 369AM and Cap. 369S

(1) A Passenger Ship Safety Certificate (first-mentioned
Certificate)—

(a) that is issued under regulation 83(1) of Cap. 369AM
in respect of a designated passenger ship; and
(b) that is in force immediately before 1 March 2019, is regarded as a Passenger Ship Safety Certificate as defined by section 54, and the provisions of this Part apply in relation to the first-mentioned Certificate and the ship accordingly.

(2) A cargo ship safety construction certificate (former certificate)—

(a) that is issued under regulation 56(3) or 57(3) of Cap. 369S in respect of a designated cargo ship; and

(b) that is in force immediately before 1 March 2019, is regarded as a Cargo Ship Safety Construction Certificate as defined by section 54, and the provisions of this Part apply in relation to the former certificate and the ship accordingly.

(3) In this section—

designated cargo ship (指定貨船) means a cargo ship constructed on or after 1 July 2002 and before 1 March 2019;

designated passenger ship (指定客船) means a passenger ship constructed on or after 1 July 2002 and before 1 March 2019.

Frank CHAN Fan
Secretary for Transport and Housing

4 December 2018
The object of this Regulation is to give effect to Chapters I, II-1, XI-1 (regulation 2) and XII of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended from time to time by any revision or amendment that applies to Hong Kong (Convention). Chapter I covers the surveys of ships as well as the issue of safety certificates. Chapter II-1 covers the technical requirements on the construction and structure of ships, their subdivision and stability, the machinery and electrical installations. Chapter XI-1 covers the special measures to enhance maritime safety. Chapter XII covers additional safety measures relating to structures for bulk carriers engaged in international voyages.

2. The Regulation is divided into 5 Parts.
3. Part 1 covers the preliminary matters.
4. Section 1 specifies the commencement date of the Regulation.
5. Section 2 contains the definitions necessary for the interpretation of the Regulation.
6. Section 3 covers the scope of application of the Regulation.
7. Part 2 implements Chapter II-1 of the Convention. It covers the construction, structure, subdivision, stability, machinery and electrical installations of ships. It also covers the requirements applicable to ships using low-flashpoint fuels.
8. Part 3 implements the requirements in Chapter II-1 of the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by certain resolutions adopted by the International Maritime Organization that are applicable to ships constructed on or after 1 July 2002 and before 1 January 2009.

9. Part 4 implements Chapter XII of the Convention. It covers the additional safety measures applicable to the construction of bulk carriers which are engaged in international voyages.

10. Part 5 implements Chapter I of the Convention. It covers the surveys of passenger ships and cargo ships as well as the duration, validity, extension and cancellation of safety certificates issued under the Merchant Shipping (Safety) Ordinance (Cap. 369) in respect of the ships. Part 5 provides for the procedural details and should be read together with that Ordinance in which certification requirements have been provided for.

11. Part 5 also implements regulation 2 of Chapter XI-1 of the Convention relating to the construction of bulk carriers and oil tankers. To enhance maritime safety, the bulk carriers and oil tankers are subject to enhanced surveys in accordance with the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 mentioned in that regulation.