

L.N. 149 of 2021

Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) (Amendment) Regulation 2021

(Made by the Secretary for Transport and Housing under sections 96, 107 and 112B of the Merchant Shipping (Safety) Ordinance (Cap. 369))

1. Commencement

This Regulation comes into operation on 15 October 2021.

2. Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations amended

The Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations (Cap. 369 sub. leg. R) are amended as set out in sections 3 to 6.

3. Regulation 1 amended (citation, interpretation, application and exemption)

(1) Regulation 1(4)(a)—

Repeal

“, 34”.

(2) Regulation 1—

Repeal subregulation (8).

4. Regulations repealed

Regulations 34, 39, 40, 71, 72, 73 and 74—

Repeal the regulations.

5. Regulation 74C amended (intermediate surveys)

(1) Regulation 74C(1)—

Repeal

“3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the certificate, which shall”

Substitute

“the period commencing 3 months before the second anniversary date of the certificate and ending 3 months after the third anniversary date of the certificate, and if the intermediate survey is completed within the period commencing 3 months before, and ending 3 months after, the second anniversary date or the third anniversary date of the certificate, it is to”.

(2) Regulation 74C(3)—

Repeal

“an intermediate survey is completed before the period specified in subregulation (1) then”

Substitute

“a new date (*new date*) is endorsed by the surveyor on the cargo ship safety construction certificate to be the date for ascertaining subsequent anniversary dates in accordance with regulation 14(h) of Chapter I”.

(3) Regulation 74C(3)—

Repeal paragraph (a).

(4) Regulation 74C(3)(b)—

Repeal

“in paragraph (a)”.

(5) After regulation 74C(4)—

Add

“(5) In this regulation—

Chapter I (《附件第I章》) means Chapter I of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as from time to time revised or amended by any revision or amendment that applies to Hong Kong.”.

6. **Part V repealed (no provision)**

Part V—

Repeal the Part.

Frank CHAN Fan
Secretary for Transport and
Housing

4 August 2021

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations (Cap. 369 sub. leg. R) (*principal Regulations*).

2. The main purpose of the Regulation is to implement regulation 2-1 of Chapter XI-1 of the Annex to the International Convention for the Safety of Life at Sea, 1974, as amended, that was adopted by the International Maritime Organization by Resolution MSC.409(97) on 25 November 2016.
3. An intermediate survey of a cargo ship in respect of which a cargo ship safety construction certificate (*Certificate*) has been issued is to be carried out within the period commencing 3 months before the second anniversary date of the Certificate and ending 3 months after the third anniversary date of the Certificate.
4. Also, the Regulation repeals certain provisions of the principal Regulations which are without content.