



香 港 商 船 資 訊

HONG KONG MERCHANT SHIPPING INFORMATION NOTE

Knowledge of Hong Kong Maritime Legislation as required by Regulation I/10, paragraph 2 of STCW Convention

To : Shipowners, Ship Managers, Ship Operators, Masters, Officers, Crew and Recognized Organizations

Summary

The purpose of this Note is to remind parties concerned on the requirements of Regulation I/10 of International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW) on recognition of certificates that officers at the management level shall have an appropriate knowledge of the maritime legislation of the Flag Administration relevant to the functions they are permitted to perform. This Note should be kept on board all Hong Kong registered ships for ready reference for officers at the management level.

1. According to Reg. I/10, paragraph 2 of the STCW, measures shall be established to ensure that seafarers who present, for recognition, certificates issued under the provisions of regulations II/2, III/2 or III/3, or issued under regulation VII/1 at the management level, as defined in the STCW Code, have an appropriate knowledge of the maritime legislation of the Administration relevant to the functions they are permitted to perform.
2. Officers who hold the licence issued by Hong Kong Marine Department (MD) in recognition of their certificate of competency under Reg. I/10 of STCW and serve on Hong Kong Registered ships at the management level as defined in the STCW Code shall be familiar with the provisions of the Hong Kong shipping ordinances and their subsidiary legislation relevant to the functions they are permitted to perform. These include but are not limited to: shipowner and master's responsibilities on implementation of the regulations, all aspects related to seafarers' certification, employment, discipline, welfare, health, and medical care, reports and records, inquiry and inspection, offences and penalties, and etc.

3. The updated shipping ordinances and their subsidiary legislation of Hong Kong, China are published on MD's website: www.mardep.gov.hk/en/legislation/home.html. Legislation requirements related to operation and seafarers serving on board Hong Kong registered ships are contained in the provisions and subsidiary legislations made under the following Ordinances: -

- (a) Merchant Shipping Ordinance (Cap. 281);
- (b) Marine Insurance Ordinance (Cap. 329);
- (c) Merchant Shipping (Safety) Ordinance (Cap. 369);
- (d) Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413);
- (e) Merchant Shipping (Liability and Compensation for Oil Pollution) Ordinance (Cap. 414);
- (f) Merchant Shipping (Registration) Ordinance (Cap. 415);
- (g) Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Cap. 434);
- (h) Carriage of Goods by Sea Ordinance (Cap. 462);
- (i) Merchant Shipping (Seafarers) Ordinance (Cap. 478);
- (j) Merchant Shipping (Liner Conferences) Ordinance (Cap. 482);
- (k) Merchant Shipping (Collision Damage Liability and Salvage) Ordinance (Cap. 508);
- (l) Merchant Shipping (Security of Ships and Port Facilities) Ordinance (Cap. 582); and
- (m) Bunker Oil Pollution (Liability and Compensation) Ordinance (Cap. 605).

4. Other useful information may also be found in MD website, such as introduction of MD, organization of MD, marine casualty investigation, Hong Kong Merchant Shipping Notices (MSN), Hong Kong Merchant Shipping Information Notes (MSIN), circular letters, guidelines and guidance, public forms, frequently asked questions, and etc.. (www.mardep.gov.hk/en/home.html)

5. Seafarers applying for Hong Kong Licence (i.e. recognition of Certificates of Competency) at management level will receive this MSIN in an electronic format upon issuance of the Consolidated Receipt of Application. Holders of Hong Kong Licence at management level are required to acquire appropriate knowledge of the Hong Kong maritime legislation.

6. Any enquiries in relation to this Merchant Shipping Information Note may be directed to the Senior Surveyor of the Seagoing Examination and Mercantile Marine Office at telephone number (852) 2852 4383 or by e-mail to "sssem@mardep.gov.hk".

Marine Department
Local Vessels and Examination Division

21 April 2023