

## Seafarers' Advisory Board (SAB) 2019

### Notes of Meeting

Date : 7 November 2019 (Thurs)  
Time : 3:00 pm  
Venue : Conference Room A, 24/F, Marine Department Headquarters,  
Harbour Building, 38 Pier Road, Central, Hong Kong

|                                    |  |   |
|------------------------------------|--|---|
| <b>Chairman</b>                    | Mr. WONG Sai-fat                       | Deputy Director, Marine Department  |
| <b>Members</b>                     | Mr. CHOI Leung-pei                     | Hong Kong Seamen's Union  |
|                                    | Capt. Vikrant Singh<br>GUSAIN          | Hong Kong Shipowners' Association   |
|                                    | Mr. CHAN Ming-yau                      | Superintendent of Mercantile Marine<br>Office, Marine Department                  |
|                                    | Mr. Raymond LIANG                      | [Assistant Commissioner for Labour]<br>Chief Labour Officer, Labour Department    |
| <b>In-<br/>attendance</b>          | Mr. WU Kwok-hau                        | Merchant Navy Officers' Guild-Hong<br>Kong<br>(stand-in for Mr. CHUNG Tung-tong)  |
|                                    | Mr. LAI Ming-hong                      | Amalgamated Union of Seafarers<br>(stand-in for Mr. AU YEUNG Kam-lung)            |
|                                    | Capt. Soma NAIR                        | Anglo-Eastern Ship Management Ltd.<br>(stand-in for Capt. Vinay SINGH)            |
|                                    | Mr. Gilbert FUNG                       | Hong Kong Shipowners' Association<br>(stand-in for Mr. ZHAO Yao-ming)             |
|                                    | Mr. LUI Kam-leung                      | Chief/ Maritime Policy, Marine<br>Department                                      |
|                                    | Mr. YE Guo-rong                        | Chief Assistant Registrar/ Ship & Seafarer,<br>Marine Department                  |
|                                    | Mr. KUANG Zhi-jian                     | Senior Surveyor/ Maritime Policy, Marine<br>Department                            |
|                                    |  |   |
| <b>Absent<br/>with<br/>Apology</b> | Mr. CHUNG Tung-tong                    | Merchant Navy Officers' Guild-Hong<br>Kong  |
|                                    | Mr. AU YEUNG Kam-lung                  | Amalgamated Union of Seafarer   |
|                                    | Capt. Vinay SINGH<br>Mr. ZHAO Yao-ming | Hong Kong Shipowners' Association<br>China Merchants Energy Shipping Co.,<br>Ltd. |

**(1) Agenda Item 1: Opening Remarks**

**The Chairman** welcomed all attendees to the meeting.

**(2) Agenda Item 2: Confirmation on Notes of Last Meeting (6.7.2018)**

2. Since no comment was received from members before/ during the meeting, the notes of last meeting were endorsed.

**(3) Agenda Item 3: Implementation of Maritime Labour Convention, 2006 (MLC) in Hong Kong SAR (SAB Paper No. 1/2019 and SAB Paper No. 2/2019)**

*(a) Occupational Health and Safety (SAB Paper No. 1/2019)*

3. **Mr. LUI Kam-leung from MD** tabled SAB Paper No. 1/2019. He reported that the Maritime Labour Convention (MLC) was extended to Hong Kong on 20 December 2018. To fulfill the requirements of International Labour Organization (ILO), Hong Kong had submitted the first report on the application of MLC in September 2019.

4. To ensure that seafarers' occupational health and safety are well protected, the Merchant Shipping (Seafarers) (Code of Safe Working Practices) Regulation (Cap. 478M) with regard to the adoption of UK's "Code of Safe Working Practices for Merchant Seamen" (the Code) has been applied on Hong Kong ships as the mandatory guidelines for fulfilling MLC requirements on Occupational Health and Safety and accident prevention. In addition, MD also issued a Merchant Shipping Information Note (MSIN) No. 52/2006 to promulgate the "Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Programme" as published by IMO. Owing to the latest amendments of MLC, MD issued another circular letter in February 2019 to ship owners, ship managers and all parties highlighting the "Guidance on eliminating shipboard harassment and bullying".

5. Since the implementation of MLC in Hong Kong, MD has not come across with any cases of seafarers working on board Hong Kong ships and/or shipping companies operating/ managing Hong Kong ships that have difficulties in implementing Occupational Health and Safety and accident prevention measures. It was concluded that the legislation and measures on Occupational Health and Safety and accident prevention currently applied on Hong Kong ships are effective and shall be maintained.

6. **The Chairman** pointed out that port State control inspection may cover MLC issues. He highlighted that it is a mandatory requirement under Cap. 478M that the employer shall ensure that the ship carries sufficient copies of the Code.

7. Attendees appreciated that the Chinese version of the Code has been placed on MD departmental website for free download. Since the electronic format is already available on the internet, MD will not print out hardcopies of the Code for sale or distribution to ship companies.

*(b) Social Security (SAB Paper No. 2/2019)*

8. **Mr. LUI Kam-leung from MD** tabled SAB Paper No. 2/2019 on the social security protection under the MLC. As stipulated in Standard A.4.5.1 of the MLC Code, there are nine branches of social security protection and Hong Kong has ratified three branches, i.e. medical care, old age benefits and invalidity benefit.

9. Since the implementation of MLC in Hong Kong, MD had reviewed and concluded that the aforementioned three specified social security benefits provided by HKSAR were well in place. The administration had not come across any cases relating to the shortfall of any of these benefits.

10. **Capt. Vikrant Singh GUSAIN** enquired if MD had any plan to put forth the remaining six branches of the social security protection, i.e. sickness, unemployment, employment injury, family, maternity and survivors. **The Chairman** responded that there was no fixed time frame for the adoption of remaining six social benefits since the provision of any benefits would need to balance the voices between employers and employees. Hong Kong would progressively achieve the provision of comprehensive social security if situation warranted.

**(4) Agenda Item 4: Enhanced Services provided by the Mercantile Marine Office (MMO)**

11. **Mr. CHAN Ming-yau from MD** reported that with a view to enhance MMO services, application form for obtaining Seafarers Employment Registration Book (SERB) had been placed on MD's website. An applicant may submit the PDF-fillable application form to MMO via email. The e-submission would streamline the application process whereby an applicant would only be required to visit MMO office once for obtaining SERB. Furthermore, MMO would further improve the service by allowing an applicant to collect the SERB either at our MMO counter in person or through postal service. .

12. There being no other business, the meeting was adjourned at 3:40 pm. The date of the next meeting would be announced in due course.

**Secretariat  
Shipping Division  
Marine Department  
November 2019**