

Seafarers' Advisory Board (SAB) 2021

Notes of Meeting

Date : 14 April 2021 (Wed)
Time : 3:00 p.m.
Venue : Conference Room B, 22/F, Marine Department Headquarters,
Harbour Building, 38 Pier Road, Central, Hong Kong

Chairman	Mr. WONG Sai-fat	Deputy Director of Marine (1), Marine Department
Members	Mr. AU YEUNG Kam-lung	Amalgamated Union of Seafarers, Hong Kong
	Capt. Vinay SINGH	Anglo-Eastern Ship Management Ltd
	Mr. CHAN Ming-yau	Superintendent of Mercantile Marine Office, Marine Department
	Ms. Jade WONG	[Assistant Commissioner for Labour] Chief Labour Officer, Labour Department
In-attendance	Capt. Vikrant Singh GUSAIN	Hong Kong Shipowners' Association (observer)
	Mr. CHEUNG Sai-teng	Hong Kong Seamen's Union (stand-in for Mr. CHOI Leung-pei)
	Mr. Tam Shing-chieh	Merchant Navy Officers' Guild – Hong Kong (stand-in for Mr. CHUNG Tung-tong)
	Capt. Liu Hong-jun	Associate Maritime Company (Hong Kong) Ltd. (stand-in for Capt. Hu Bin)
	Mr. CAI Chun-qiao	Senior Surveyor/Seafarers Policy, Marine Department
	Mr. KUANG Zhi-jian	Senior Surveyor/ Seafarers and Examination(1), Marine Department
Absent with Apology	Mr. CHOI Leung-pei	Hong Kong Seamen's Union
	Mr. CHUNG Tung-tong	Merchant Navy Officers' Guild-Hong Kong
	Capt. Hu Bin	Associate Maritime Company (Hong Kong) Ltd.

(1) Agenda Item 1: Opening Remarks

The Chairman welcomed all members and representatives to the meeting.

(2) Agenda Item 2: Confirmation on Notes of Last Meeting (7.11.2019)

2. Since no comment was received from members, 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. 1/2021 and SAB Paper No. 2/2021)

(a) Occupational Health and Safety (SAB Paper No. 1/2021)

3. **Mr. CAI Chun-qiao from MD** tabled SAB Paper No. 1/2021. He reported that since the ratification of the MLC which was extended to the Hong Kong Special Administrative Region (HKSAR) in December 2018, MD had not come across any cases of seafarers working on board Hong Kong ships and/or shipping companies operating/managing Hong Kong ships that had difficulties in implementing the Occupational Safety and Health (OSH) and accident prevention policies and programmes. It was concluded that the legislation and measures on OSH and accident prevention currently applied on Hong Kong ships were effective and should be maintained.

4. From the statistical data of the OSH protection status on Hong Kong ships, it was noted that the case number and injury to person in 2020 had decreased as compared with 2019. However, the number of death and missing of person had increased mainly caused by slip or fall on ships and missing at sea. It was alleged that the missing cases might be linked to the mental distress or emotional issues of seafarers due to the COVID-19 pandemic. The unions and shipowners were reminded to take necessary action

to maintain full awareness of seafarers' mental health and offer timely counselling/assistance as appropriate.

5. Attendees enquired on the number of deaths caused by illness as it was not shown in the statistical data. **The Chairman** responded that the review was conducted as per the MLC requirement and followed the IMO casualty investigation code which do not include deaths caused by illness. Nevertheless, MD would try to collect such information from shipowners and provide such information, if available, for members' reference at the next meeting. Apart from this, as observed from the casualty investigation reports, many accidents were caused by falling from height when working aloft. Unions and shipowners were urged to remind the seafarers on the compliance of safe working procedures on board especially working aloft.

(b) Revision of DMLC-Part I (SAB Paper No. 2/2021)

6. **Mr. CAI Chun-qiao from MD** tabled SAB Paper No. 2/2021 on the revision of DMLC-Part I on the implementation of Regulation 5.1.3 and paragraph 10 of Standard A5.1.3 of the Code to the MLC in HKSAR. The existing DMLC-Part I shall be revised by providing a reference to the relevant legal provisions of HKSAR for embodying the relevant requirements of the MLC including the 2018 amendments to the MLC; and the wording of the revised DMLC-Part I would follow closely to the relevant legal provisions of HKSAR as much as possible. To conclude, there was no material change to the existing Hong Kong DMLC-Part I in the revised version apart from the inclusion of the 2018 amendments to the MLC. The revised DMLC-Part I will be ready for issue to Hong Kong registered ships; while the parts relevant to the 2018 amendments to the MLC would be for voluntary compliance only as the 2018 amendments to the MLC has yet to be extended to HKSAR.

7. **The Chairman** pointed out that regardless of the status of local legislation on the 2018 amendments to the MLC, shipping side engaging in international business should be ready for the revised DMLC-Part I and ship owners should put up actions for compliance to the revised requirements.

(4) Agenda Item 4: Summary of Work provided by the Mercantile Marine Office (MMO) since November 2019

8. **Mr. KUANG Zhi-jian from MD** reported that

- (a) e-submission for seafarer registration and application of Seafarer Employment Registration Book was launched in November 2019 and MMO's services has been improved continuously.
- (b) MD issued circular letter in February 2021 for the new arrangement of submission of crew agreement and list of crews, such that ship masters could submit crew agreements in excel format via e-mail instead of submission by postage of original document or PDF format.
- (c) To alleviate the impact of COVID-19 to seafarers, MD also issued circular letters for useful information that was provided by the IMO, seafarer unions, other UN agencies and other maritime Administrations etc. In addition, MD also adopted pragmatic measures for the extension of seafarers employment agreements, medical certificates, certificates of competency, certificates of proficiency and Hong Kong Licences, as well as for the provision of advice for repatriation plan for crew who had completed contract.
- (d) In view of some seafarers' complaints received by MMO were directly referred from IMO, unions or foreign Administrations, MMO urged that seafarers had better to follow the on-board complaint procedures for grievance because the ship master, ship manger or shipowner could effectively handle complaints in the first place.

9. **The Chairman** pointed out that as reflected in the effort of MMO, lots of work was put up due to the COVID-19 pandemic in 2020/21. He would like to take the opportunity to thank the shipowners, the seafarers' unions and all colleagues in embracing the challenges arisen as well as to urge the shipowners and unions to encourage vaccination for employees and seafarers.

10. There being no other business, the meeting was adjourned at 4:10 pm. The date of the next meeting would be announced in due course.

Secretariat
Local Vessels and Examination Division
Marine Department
April 2021