

**SEAFARERS' ADVISORY BOARD**

**Review of the Implementation of the Health and Safety Protection  
and Accident Prevention on Hong Kong registered ships  
under the Maritime Labour Convention, 2006**

**Purpose**

The Marine Department (“the MD”) provides members with the outcome of a review on the implementation of Regulation 4.3.3 of the Maritime Labour Convention, 2006 (“the MLC”) for occupational safety and health (OSH) protection and accident prevention on Hong Kong registered ships (“HK ships”).

**Background**

2. The ratification of the MLC as amended was extended to the Hong Kong Special Administrative Region (HKSAR) on 20 December 2018. The first report on the application of the MLC in the HKSAR was submitted to the International Labour Organization in September 2019.

3. In accordance with Standard A4.3.3 of the Code to the MLC, the Administration shall regularly review the laws and regulations and other measures referred to in Regulation 4.3.3 in consultation with shipowners’ and seafarers’ organizations and, if necessary, revised to take account of changes in technology and research in order to facilitate continuous improvement in OSH policies and programmes and to provide a safe occupational environment for seafarers on HK ships.

4. The ensuing paragraphs report the outcome of the review.

**The Review**

5. In 2007, the Tripartite Working Group formed by the MD for the

implementation of the MLC discussed and agreed that 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") shall apply to HK ships as the mandatory guidelines for meeting the MLC Regulation 4.3 relating to the issue of OSH and accident prevention. With the permission granted by the publisher, the MD translated the Code in Chinese which is available on the MD website.

6. In addition to the mandatory requirement of the Code for HK ships, MD also issued a Merchant Shipping Information Notes (MSIN) No. 52/2006 in 2006 to promulgate the IMO Circular (MSC-MEPC.2/Circ.3) on the "Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Programme" for HK ships. In responding to the latest amendments made to Regulation 4.3 of the MLC that entered into force in January 2019, MD further issued a circular letter in February 2019 to ship owners, ship managers and all parties concerned for HK ships to draw their attention of the latest version of the "Guidance on eliminating shipboard harassment and bullying" ("the Guidance") jointly published by the International Chamber of Shipping and the International Transport Workers' Federation. The Guidance forms one of the matters covered by the Guideline B4.3.1 (Provisions on occupational accidents, injuries and diseases) of the MLC.

7. Since the ratification of the MLC has extended to HKSAR, the MD has not come across any cases of seafarers working on board HK ships and/or shipping companies operating/managing HK ships that have difficulties in implementing the OSH and accident prevention policies and programmes. With respect to occupational accident investigation, the MD will conduct safety investigations into all very serious cases in order to identify the lessons learnt. All investigation reports and lessons learnt are published on the MD website for promoting seafarers' OSH and accident prevention.

8. The review has concluded that the legislation and the measures applied to HK ships for the policies and programmes of OSH and accident prevention are effective and should be maintained. The MD will continuously cooperate with members to keep monitoring the development of any changes in technology and research for continuous improvement in OSH policies and programmes. If there is any revision required in future, the MD will consult members immediately and bring to the attention of all concerned parties of HK ships without delay.

## **Way forward**

9. Members are invited to note and comment on the outcome of the review.

Marine Department  
Multi-lateral Policy Division  
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