

SEAFARERS' ADVISORY BOARD

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

Purpose

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

Background

2. In accordance with the 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, revise 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.

3. In order to ensure the well protection of seafarers’ occupational safety and health, the Merchant Shipping (Seafarers) (Code of Safe Working Practices) Regulation (Cap. 478M) stipulates that the “Code of Safe Working Practices for Merchant Seafarers”¹ (“the Code”) is the mandatory guidelines applicable to HK ships for meeting the MLC Regulation 4.3 relating to the issue of OSH and accident prevention.

¹ The latest version 2022 is available via URL: <https://www.gov.uk/government/publications/code-of-safe-working-practices-for-merchant-seafarers-coswp-amendment-7-2022>

The Review

4. Since the extension of the MLC from the Mainland China to the Hong Kong Special Administrative Region in December 2018, 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.

5. With respect to occupational accident investigation, the MD has conducted 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.

6. Below Tables 1 and 2 show the statistics of the accident cases on HK ships outside HK waters for the past three years. The statistical data indicated that there was a continuous decrease in all cases of accidents reported in 2022 when compared with the figure of previous 2 years, while there was a rebound in fatal accidents in 2022 after decrease in 2021 and among them, where 4 deaths were caused by falling from height.

Table 1-for all cases

Year	Cases	Death	Injury	Missing
2020	70	17	49	1
2021	57	6	44	0
2022	45	11	36	1
Rate of change (2021 & 2022)	↓21.1%	↑ 83.3%	↓18.2%	Not applicable

Table 2- for very serious cases

Accident Category	2021			2022		
	Deaths	Injuries	Missing	Deaths	Injuries	Missing
Electric Shock/ burn	0	0	0	1	0	0
Slip or fall on ship – different levels	2	0	0	4	4	0

Enclosed Space	1	0	0	2	0	0
Involving Rope / hawser	0	0	0	1	0	0
Involving machinery / equipment / tools implements	1	0	0	1	12	0
Involving heavy weather				1	4	0
Involving lifting heavy objects				1	0	0
Total	6	0	0	11	20	0

Conclusion

7. The review indicates that the legislation and the measures applied to HK ships for the policies and programmes of OSH and accident prevention are still 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 and bring to the attention of all concerned parties of HK ships without delay.

8. Members are invited to note and comment on the outcomes of the review.

Marine Department
Multi-lateral Policy Division
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