

MARINE DEPARTMENT NOTICE NO. 165 OF 2017

(Statutory Requirements)

**Implementation of the
Merchant Shipping (Limitation of Shipowners Liability)
Ordinance (Amendment of Schedule 2) Order 2017**

The Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Amendment of Schedule 2) Order 2017 ('the Amendment Order') was published in the Gazette on 6 October 2017. The legislative amendments serve to give effect to the latest revision in limits of liability for maritime incidents pursuant to the 1996 Protocol to the Convention on Limitation of Liability for Maritime Claims, 1976. The revised liability limits to be incorporated into relevant Article 6 of Schedule 2 to the Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Cap. 434) shall come into operation on 4 December 2017.

2. A copy of the Amendment Order is attached to this Notice. It could also be found in the following website of Marine Department:

<http://www.mardep.gov.hk/en/notices/notices.html>

3. Upon the commencement of the relevant legal provisions, shipowners will be subjected to higher liability limits for claims for loss of life or personal injury and other claims such as claims for property damage.

4. Shipowners, ship managers, agents and operators are advised to note the above.

**Maisie CHENG
Director of Marine**

Marine Department
Government of the HKSAR
Date: 28 November 2017
Action File Ref.: L/M. No. 32/2017 in MP/U 527/1 (11)

L.N. 155 of 2017

**Merchant Shipping (Limitation of Shipowners Liability)
Ordinance (Amendment of Schedule 2) Order 2017**

(Made by the Chief Executive in Council under section 28 of the
Merchant Shipping (Limitation of Shipowners Liability)
Ordinance (Cap. 434))

1. Commencement

This Order comes into operation on 4 December 2017.

**2. Merchant Shipping (Limitation of Shipowners Liability)
Ordinance amended**

The Merchant Shipping (Limitation of Shipowners Liability)
Ordinance (Cap. 434) is amended as set out in section 3.

**3. Schedule 2 amended (Convention on Limitation of Liability for
Maritime Claims, 1976)**

(1) Schedule 2, Article 6, paragraph 1(a)(i)—

Repeal

“2 million”

Substitute

“3.02 million”.

(2) Schedule 2, Article 6, paragraph 1(a)(ii)—

Repeal

“800”

Substitute

“1 208”.

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B4621

- (3) Schedule 2, Article 6, paragraph 1(a)(ii)—

Repeal

“600”

Substitute

“906”.

- (4) Schedule 2, Article 6, paragraph 1(a)(ii)—

Repeal

“400”

Substitute

“604”.

- (5) Schedule 2, Article 6, paragraph 1(b)(i)—

Repeal

“1”

Substitute

“1.51”.

- (6) Schedule 2, Article 6, paragraph 1(b)(ii)—

Repeal

“400”

Substitute

“604”.

- (7) Schedule 2, Article 6, paragraph 1(b)(ii)—

Repeal

“300”

Substitute

“453”.

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(8) Schedule 2, Article 6, paragraph 1(b)(ii)—

Repeal

“200”

Substitute

“302”.

Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

12 September 2017

Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Amendment of
Schedule 2) Order 2017

Explanatory Note
Paragraph 1

L.N. 155 of 2017
B4625

Explanatory Note

The Convention on Limitation of Liability for Maritime Claims, 1976 (*Convention*) that limits the liability of shipowners and salvors for claims arising from maritime incidents applies to Hong Kong. The Convention was amended in 1996 and Schedule 2 to the Merchant Shipping (Limitation of Shipowners Liability) Ordinance (Cap. 434) (*Schedule*) sets out the Convention as amended.

2. This Order amends the Schedule to reflect the latest limits adopted by the International Maritime Organization by resolution LEG.5(99) concerning the liability for claims for loss of life or personal injury and other claims such as claims for property damage.