

**Conditions Applied to
Approved Safety Training Centres
For Providing Safety Training Courses and
Issuing Certificates**

**[under Shipping and Port Control (Works) Regulation (Cap 313X) and
Merchant Shipping (Local Vessels)(Works) Regulation (Cap. 548I)]**



Marine Industrial Safety Section
Marine Department, HKSAR
(May 2011 Edition)

Content

1. Interpretation
2. Scope of Services and Obligations
3. Issuing Certificates of Training and Record Keeping
4. Monitoring
5. Conduct
6. Appeals

Annex I Attendance Record Sheet

Annex II Electronic Trainee Records

Record of this Document updating

[illegible]

Conditions Applied to Approved Safety Training Centres for Providing Safety Training Courses and Issuing Certificates

These conditions form an integral part of the written approval made by the Director of Marine (“Approval”) granted to an organization to be an approved safety training centre and have to be read together with the Approval.

1. Interpretation

In these conditions –

“Approved Safety Training Centre” (“Approved Centre”) means an organization approved by the Director pursuant to section 70 of the Merchant Shipping (Local Vessels) (Works) Regulation (Cap 548 I) and section 69 of the Shipping and Port Control (Works) Regulation (Cap 313 X), to provide the approved safety training courses and to issue a certificate to any person who has successfully completed such courses;

“Approved safety training course” (“Approved Course”) means the course covered by the Approval to be provided by the Approved Centre;

“Director” means the Director of Marine of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China;

“Services” means any services within the scope of the services as defined in paragraph 2.1.

2. Scope of Services and Obligations

2.1 The scope of services under this Approval is any such operation in providing the relevant safety training courses to attendees or trainees for the purpose of issuing relevant certificates of training that are required by the aforesaid Works Regulations.

2.2 Trainee Assessment Test

2.2.1 Any trainee who does not attend the course for the full duration should be disqualified. The trainee should score at least 60% of the total marks in the assessment test in order to qualify a pass. Any trainee who fails in the test should be granted one more chance to re-sit the test. If the trainee fails again, he/she shall attend the course again and re-sit the assessment test.

2.2.2 During an assessment test, any discussion of answers among trainees or between trainees and trainer is strictly prohibited.

- 2.2.3 Special test arrangement, e.g. oral test, should be made for those trainees who are illiterate. Results of the assessment test with special test arrangement should be recorded with signatures of the trainee being examined, the examiner and the invigilator.

2.3 Invigilation by Approved Centre

The senior management of an Approved Centre should maintain appropriate invigilation over the trainers as well as trainees so as to ensure fairness and justice in conducting Approved Courses.

2.4 Notification of Course Schedules

- 2.4.1 For the purpose of on-the-spot surprised inspections, Approved Centres must inform the Director the time schedules and venues of the courses to be conducted not later than either one week if by fax or ten days if by post before the commencement of the courses.
- 2.4.2 In case of cancellation of any scheduled course, the concerned Approved Centre must immediately report it to the Director by fax, but not less than 2 days before the date of the scheduled course.

2.5 Change of Course Materials

Approved Centre is required to update the course materials periodically to cope with the latest changes in legislation, the advancement in technology or amendments to safe working practices. Any change of topics/contents and duration stipulated in the approved course curriculum must obtain prior approval from the Director before the change is taken place. Any such material changes or updates should be within the scope of the curriculum.

2.6 Change of Trainers

Approved Centre must report to the Director as soon as possible when a trainer resigns or is terminated from the services. In the case of immediate termination of training service, notification to the Director should be made by fax immediately. The Course affected must be temporarily suspended from the day of the trainer leaving his or her services until such times when a replacement approved trainer is arranged and the Director is notified.

2.7 Change of Teaching Venue

For any intended change or addition of teaching venue, the Approved Centres must first obtain approval from the Director before conducting the courses in the new venue. Closure of any teaching venue should be reported to the

Director for records not later than one month after the closure.

2.8 Reciprocal Recognition of Relevant Certificates as Obligation

Approved Centres must reciprocally recognize relevant certificates approved or recognized by the Director or issued by other Approved Centres. Refresher courses run by any Approved Centre should be opened to all holders of a valid and relevant certificate regardless of whether the original certificate is issued by other Approved Centre.

2.9 Obligation on Issuing Certificates of Training and Record Keeping

An Approved Centre must keep properly all trainee records and issue appropriate certificates of training to a person who has attended and completed the training course satisfactorily in accordance with the approved arrangement and the conditions as elaborated in section 3 below.

3. Issuing Certificates of Training and Record Keeping

3.1 Issuing Certificates of Training

- 3.1.1 Any change in particulars or design of certificates of training must be submitted to the Director for approval before newly designed certificate is issued.
- 3.1.2 If the loss of a certificate of training is reported by the certificate holder to the issuing Approved Centre, the Approved Centre concerned should re-issue a replacement certificate after verification of previous record. An identification character 'R1' should be added to the end of the original certificate's number in the replacement certificate. For example, if original number is BASIC-234, the replacement number is BASIC-234R1, where "R1" stands for the replacement certificate for the loss in the first time and accordingly "R2" for the card replacement in the second time. Any re-issue of replacement certificate should be reported to the Director as soon as possible.
- 3.1.3 If the certificate holder requests to re-issue his/her certificate due to the change of holder's name, Approved Centre should check all legal supporting documents and apply the above concept to the numbering of replacement certificate. Re-issue of the replacement certificate should be reported to the Director as soon as possible.
- 3.1.4 Approved Centres can devise their own certificate numbering system. However, if they have their own system to distinguish the replacement certificate different from the above, they should report their system to the Director for record purpose.

3.2 Course Fees

Approved Centre may determine the course fee for the approved training course offered by them. Any course fees charged by the Approved Centre is an individual affair between the Approved Centre and trainees.

3.3 Training Records Keeping

- 3.3.1 The ‘Attendance Record Sheet’ is designed to record the attendance of all trainees and trainer in each session of the class. Data in attendance record sheet should contain name of Approved Centre, course title, course date, names and signatures of trainees, name and signature of trainer. A suggested format is attached in Annex I for reference by Approved Centre. Each trainee must sign on each session of the class and then counter-signed by the trainer.
- 3.3.2. The ‘Trainee Certificate Record’ is designed to record the particulars of those trainees who have successfully completed the Course and have received with valid certificates. Data includes trainee name (both English and Chinese, if available), trainee ID card number, name of the Approved Centre, course title, certificate number, course date, certificate issued date, and expiry date of certificate. Approved Centres are required to forward an electronic “Excel” file of this record to the Director, on a monthly basis, not later than the 7th day of each month. The format of this electronic record is attached in Annex II.
- 3.3.3 The Approved Centres are required to keep records of each trainee, at least 4 years for the “Shipboard Cargo Handling Basic Safety Training”, and at least 6 years for “Shipboard Crane Operator Safety”, and at least 50 years for “Works Supervisor Safety Training” after the trainee’s completion of a course. The above records should contain the data as stipulated in Annex II. Other records, such as, ‘Attendance Record Sheet’ and assessment result (i.e. questions and answers paper) should be kept at least 2 years.

4. Conduct

- 4.1 An Approved Centre is expected to conduct its operation by adopting good practices of the trade. Professional ethic and honest conduct are of paramount importance to an Approved Centre in running the approved courses. Any unethical acts or misconduct by Approved Centre may devastate the reputation, credibility and respectability of the certification system for the course recognized by the Director and put the workers at risk for carrying out works on board the vessels. If an approved centre is found to have unethical acts or misconduct, the Director may discontinue or withdraw the approval conferred by him.

- 4.2** The following acts are deemed to be unethical acts, misconduct or fraudulence:
- (a) enticing or conspiring trainee to fraud;
 - (b) making false information or deceitful documents;
 - (c) seeking or accepting a bribe or other benefit;
 - (d) conducting dishonest behaviour;
 - (e) dereliction of supervisory and managerial duties while running the courses;
 - (f) issuing mandatory certificate to trainee even though the trainee had not attended the course in full
 - (g) not observing the conditions and requirements issued by the Director.

5. Monitoring

5.1 Quality System

As from 2 September 2007, an Approved Centre other than an institute of quasi-governmental organization who normally would have a quality control arrangement (e.g. Vocational Training Council or Occupational Safety and Health Council) shall have either a quality system (such as system accredited to ISO 9000 standard) to ensure quality of service and monitoring or have a video recording system (e.g. video camera, web camera or similar equipment.) installed to video-record the full duration of the training courses or the examination session of the mandatory courses conducted. Both the quality system and the video records are subject to audit or random checks by the officers of Marine Department.

5.2 Random Spot Check

- 5.2.1 Officers of Marine Department may, from time to time, conduct surprised inspection on the conducting of the course and may ask for inspection of any relevant documents or records such as video records, the training materials, test papers, attendance records and trainees' assessment results.....etc. In addition, training facilities and aids, classroom conditions, trainees/trainer ratio may be inspected.
- 5.2.2 If an approved course has been identified to be below the required standard or has not fulfilled the requirement of the course, the Director may ask for rectification, or in serious case may discontinue or withdraw the approval.

6. Appeals

Approved Centre may appeal to the Administrative Appeals Board if he is aggrieved by a decision of the Director relating to the disciplinary action, such as revocation or suspension.

7. Amendment

Any amendment of this document will become effective from such date as specified in writing by the Director to the Approved Centre.

*Marine Industrial Safety Section
Marine Department
May 2011*

**Suggested Form of
Attendance Record Sheet**

Name of approved safety training centre: _____

Course title: e.g. [Shipboard Cargo Handling Basic Safety Training] _____

Course date: [mm-dd-yyyy] _____

Class session: [Morning / Afternoon] _____

Trainee Name (Chinese)	Trainee Name (English)	Signature

Trainer name: _____

Trainer signature: _____

Electronic Trainee Records

Trainee ID card No.	Abbreviation of training centre	Course Title	Course Date	Cert. No.	Issue Date of Cert.	Expiry Date of Cert.	Trainee Name (English)	Trainee Name (Chinese)	Type of crane operator course only)
1	1	1	3	1	3	3	1	2	1

Notes:-

“1” *denotes* characters in capital

“2” *denotes* characters

“3” *denotes* date in the form of dd/mm/yyyy