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Part 1

Preliminary

1. Commencement

This Regulation comes into operation on 1 March 2019.

2. Interpretation

(1) In this Regulation—

Administration (主管機關) means—

(a) in relation to a Hong Kong ship, the Director; or

(b) in relation to a non-Hong Kong ship, the government of a place outside Hong Kong whose flag the ship is entitled to fly;

alteration (改動), for the purposes of the definition of constructed, means any repair, alteration or modification that is of a major character;

bulk carrier (散裝貨輪) means a ship that is constructed or adapted primarily to carry dry cargo in bulk, and includes an ore carrier and combination carrier;

Cap. 369AM (《第369AM章》) means the Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. AM);
主管機關 (Administration)—
(a) 就香港船舶而言，指處長；或
(b) 就有權懸掛香港以外某地方的旗幟的香港船舶而言，指該地方的政府；
改動 (alteration) 就建造的定義而言，指任何重大修理、改動或修改；
油輪 (oil tanker) 具有第 II-1 章第 2 條所給予的涵義；
非香港船舶 (non-Hong Kong ship) 指不屬香港船舶的船舶；
建造 (constructed) 就船舶而言，指處於以下階段——
(a) 安放該船舶的龍骨；
(b) 能識別為該船舶的建造開始及該船舶的裝配已開始，而裝配量至少為 50 公噸或所有結構材料估計重量的 1%，以較少者為準；
(c) 如該船舶只經過一次改動——開始進行該次改動；或
(d) 如該船舶經過多於一次改動——開始進行最近一次改動；
指定客船 (specified passenger ship) 指在 2002 年 7 月 1 日或之後而在 2009 年 1 月 1 日之前建造的客船；
指定貨船 (specified cargo ship) 指在 2002 年 7 月 1 日或之後而在 2009 年 1 月 1 日之前建造的貨船；
香港船舶 (Hong Kong ship) 指在香港註冊的船舶；
氣體運輸船 (gas carrier) 具有《商船 (安全) (氣體運輸船) 規例》(第 369 章，附屬法例 Z) 第 2(1) 條所給予的涵義；

Cap. 369S (《第 369S 章》) means the Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. S);
cargo ship (貨船) means a ship other than a passenger ship;
Chapter II-1 (《第 II-1 章》) means Chapter II-1 of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;
constructed (建造), in relation to a ship, means the stage at which—
(a) the keel of the ship is laid;
(b) construction identifiable with the ship begins and assembly of the ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is less;
(c) if the ship has undergone only one alteration—the alteration commences; or
(d) if the ship has undergone 2 or more alterations—the latest alteration commences;
Convention (《公約》) means the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;
gas carrier (氣體運輸船) has the meaning given by regulation 2(1) of the Merchant Shipping (Safety) (Gas Carriers) Regulations (Cap. 369 sub. leg. Z);
Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers (《散裝貨輪及油輪建造標準》) means the International Goal-based Ship Construction Standards for
《第369AM章》(Cap. 369AM)指《船(安全) (客船建造及检验) 規例》(第369章, 附属法例 AM)；
《第369S章》(Cap. 369S)指《船(安全) (货船建造及检验) 規例》(第369章, 附属法例 S)；
《第II-1章》(Chapter II-1)指《公约》附件第II-1章, 而凡不时有对该章作出任何修改或修订, 而该等修改或修订适用於香港, 則以该章经该等修改或修订的版本為準；
货船 (cargo ship)指不属客船的船舶；
散装货轮 (bulk carrier)指为主要用於運載散装乾货而建造或改装的船舶, 包括矿石船及油类/散货两用船；
《散装货轮及油轮建造标准》(Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers)指国际海事组织海上安全委员会藉MSC.287(87)号决议通过的《散装货轮及油轮国际目标型船舶建造标准》(此为“International Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers”的譯名), 而凡不时有对该标准作出任何修改或修订, 而该等修改或修订适用於香港, 則以该标准经该等修改或修订的版本为準；
无有人看管的机舱 (unattended machinery space) 就船舶而言,指当该船舶在海上正常操作时, 有任何時段沒有编配人手看管的机舱；
机舱 (machinery space)具有《第II-1章》第3条所給予的涵义。
(2) 就本規例而言, 改装成客船的货船, 須視為在该项改装開始進行的日期建造的客船。

Bulk Carriers and Oil Tankers, adopted by the Maritime Safety Committee of the IMO by Resolution MSC.287(87), as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

Hong Kong ship (香港船舶) means a ship registered in Hong Kong;

IMO means the International Maritime Organization;

machinery space (機艙) has the meaning given by regulation 3 of Chapter II-1;

non-Hong Kong ship (非香港船舶) means a ship other than a Hong Kong ship;

oil tanker (油輪) has the meaning given by regulation 2 of Chapter II-1;

post-2009 ship (2009年後建造的船舶) means a ship constructed on or after 1 January 2009;

pre-2009 ship (2009年前建造的船舶) means a ship constructed before 1 January 2009;

specified cargo ship (指定货船) means a cargo ship constructed on or after 1 July 2002 and before 1 January 2009;

specified passenger ship (指定客船) means a passenger ship constructed on or after 1 July 2002 and before 1 January 2009;

unattended machinery space (無人看管的機艙), in relation to a ship, means a machinery space which during the normal operation of the ship at sea is unmanned for any period;

watertight (水密) has the meaning given by regulation 2 of Chapter II-1.

(2) For the purposes of this Regulation, a cargo ship converted into a passenger ship is to be regarded as a passenger ship constructed on the date on which the conversion commences.
3. Application of this Regulation

(1) This Regulation applies to—

(a) a Hong Kong ship (wherever it is) engaged in an international voyage; and

(b) a non-Hong Kong ship that is—

(i) engaged in an international voyage; and

(ii) within the waters of Hong Kong.

(2) However, this Regulation does not apply to—

(a) a warship or troopship;

(b) a ship not propelled by mechanical means;

(c) a wooden ship of primitive build;

(d) a cargo ship of less than 500 gross tonnage;

(e) a pleasure vessel not engaged in trade;

(f) a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;

(g) a high speed craft to which the Merchant Shipping (Safety) (High Speed Craft) Regulation (Cap. 369 sub. leg. AW) applies;

(h) a local vessel as defined by section 2 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (other than a local vessel referred to in section 3(4) of that Ordinance); and

(i) a non-Hong Kong ship flying the flag of a State that is not a Convention country if the ship is within the waters of Hong Kong due to—

(i) stress of weather; or
(ii) any other circumstances that could not have been prevented or forestalled by the owner or master of the ship.

(3) In this section—

*Convention country* (公約國) means a country that is a party to the Convention;

*gross tonnage* (總噸位), in relation to a ship, means the gross tonnage of the ship determined in accordance with the Merchant Shipping (Registration) (Tonnage) Regulations (Cap. 415 sub. leg. C);

*international voyage* (國際航程) means—

(a) a voyage between Hong Kong and a port outside the People's Republic of China; or

(b) a voyage between a port in a Convention country and a port outside that country (whether in another Convention country or not);

*pleasure vessel* (遊樂船隻) means a vessel (other than a passenger ship) primarily used for sport or recreation.
Part 2

General Requirements on Construction and Structure, Subdivision and Stability, Machinery and Electrical Installations of Ships

Division 1—Construction and Structure of Ships

4. Construction and structure

(1) A post-2009 ship—
(a) must be designed, constructed, equipped and maintained; and
(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s construction and structure specified in regulations 3-2, 3-3, 3-4 (except regulation 3-4.2.1), 3-6, 3-7, 3-8, 3-9, 3-10 (except regulation 3-10.3), 3-11 and 3-12 of Chapter II-1.

(2) A pre-2009 ship—
(a) must be designed, constructed, equipped and maintained; and
(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s construction and structure specified in regulations 3-2, 3-4 (except regulation 3-4.2.1), 3-6, 3-7 and 3-8 of Chapter II-1.

(3) For the purposes of subsections (1) and (2), the applicable requirements on the ship’s construction and structure specified in regulation 3-8 of Chapter II-1 are regarded as having been complied with in relation to a ship if the
arrangements, equipment and fittings of the ship comply with the applicable requirements specified in the guidelines issued by the IMO relating to the towing and mooring of the ship.

(4) For the purposes of subsection (1), the applicable requirements on the ship’s construction and structure specified in regulation 3-10.2 of Chapter II-1 are regarded as having been complied with in relation to a post-2009 ship if the design, construction and equipment of the ship comply with the functional requirements specified in the Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers.

5. 

No asbestos in materials used for structure etc. of ships

Materials installed on a ship on or after 1 March 2019 that are used for the structure, machinery, electrical installations or equipment of the ship must not contain asbestos.

6. 

Subdivision and stability

(1) A post-2009 ship—

(a) must be designed, constructed, subdivided, equipped and maintained; and

(b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s subdivision and stability specified in regulations 4, 5, 5-1, 6, 7, 7-1, 7-2, 7-3, 8 and 8-1 of Chapter II-1.

(2) A post-2009 ship must have on board the ship—

(a) the stability information relating to the ship in compliance with the applicable requirements specified in regulation 5-1 of Chapter II-1; and

5. 用於船舶結構等的物料，不得含有石棉

凡在 2019 年 3 月 1 日或之後在船舶上裝設物料，而該物料用於船舶的結構、機械、電力裝設或設備，則該物料不得含有石棉。

6. 分艙及穩定性

(1) 2009 年後建造的船舶，須按照《第 II-1 章》第 4、5、5-1、6、7、7-1、7-2、7-3、8 及 8-1 條對該船舶的分艙及穩定性所指明的適用規定而——

(a) 設計、構造、分艙、裝備和保養；及

(b) 在該船舶上備有圖則及資料。

(2) 2009 年後建造的船舶，須——

(a) 符合《第 II-1 章》第 5-1 條所指明的適用規定，在該船舶上備有關乎該船舶的穩定性資料；及
(b) if the ship is altered to the extent that materially affects its stability information—the amended stability information as altered.

(3) The Administration must be provided with the stability information relating to a post-2009 ship, and, if applicable, the amended stability information relating to the ship mentioned in subsection (2)(b), in compliance with the applicable requirements specified in regulation 5-1 of Chapter II-1.

7. Subdivision, watertight and weathertight integrity

(1) A post-2009 ship must be designed, constructed, subdivided, equipped and maintained in accordance with the applicable requirements on the ship’s subdivision, watertight and weathertight integrity specified in regulations 9, 10, 11, 12, 13, 13-1, 14, 15, 15-1, 16, 16-1, 17, 17-1 and 18 of Chapter II-1.

(2) All reasonable and practicable measures as required under regulation 17 of Chapter II-1 must be taken in respect of a post-2009 ship to limit the entry and spread of water above the bulkhead deck.

(3) A pre-2009 ship must be designed, constructed, subdivided, equipped and maintained in accordance with the applicable requirements on the ship’s subdivision, watertight and weathertight integrity specified in regulation 16 of Chapter II-1.

(4) In this section—

weathertight (風雨密) has the meaning given by regulation 2 of Chapter II-1.
8. Stability management

(1) A post-2009 ship—
   (a) must be designed, constructed, equipped and maintained; and
   (b) must have on board the ship plans and information, in accordance with the applicable requirements on the ship’s stability management specified in regulations 19, 22-1, 25.2, 25.3 and 25.4 of Chapter II-1.

(2) A pre-2009 ship must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the ship’s stability management specified in regulations 25.2, 25.3 and 25.4 of Chapter II-1.

9. Machinery installations and equipment

(1) A post-2009 ship must comply with the applicable requirements on—
   (a) the ship’s machinery installations and equipment; and
   (b) the provision on board the ship of plans and information, specified in regulations 26, 27, 28, 29 (except regulations 29.19 and 29.20), 30, 31, 32, 33, 34, 35, 35-1, 37, 38 and 39 of Chapter II-1.

(2) A pre-2009 ship must comply with the applicable requirements on—
   (a) the ship’s machinery installations and equipment; and
   (b) the provision on board the ship of plans and information, specified in regulations 26, 31 and 37 of Chapter II-1.
10. **Electrical installations**

(1) A post-2009 ship must comply with the applicable requirements on the ship’s electrical installations specified in regulations 40, 41, 42, 42-1.1, 42-1.2, 43, 44 and 45 of Chapter II-1.

(2) A pre-2009 ship must comply with the applicable requirements on the ship’s electrical installations specified in regulations 41, 42, 42-1.1, 42-1.2, 43, 44 and 45 of Chapter II-1.

11. **Periodically unattended machinery spaces**

(1) This section applies to a ship that has periodically unattended machinery spaces.

(2) A cargo ship must comply with the applicable requirements on periodically unattended machinery spaces specified in regulations 46, 47, 48, 49, 50, 51, 52 and 53 of Chapter II-1.

(3) A passenger ship must comply with the applicable requirements on periodically unattended machinery spaces that are approved by the Administration.

(4) The Administration may approve the requirements under subsection (3) if the requirements conform to the safety standards equivalent to those standards on attended machinery spaces applicable to ships that have such spaces.

(5) In this section—

*attended machinery space* (有人看管的機艙), in relation to a ship, means a machinery space other than an unattended machinery space.
第2分部——船舶的安全操作

12. **紧急拖曳程序**

船舶的船长，须确保遵照《第 II-1 章》第 3-4 条（第 3-4.2.1 條除外）所指明的適用規定，在該船舶上備有該船舶專用的緊急拖曳程序，以供在緊急情況下使用。

13. **進出貨物區艙間及貨物區艙間內部的手冊**

船舶的船長及船長，須確保遵照《第 II-1 章》第 3-6 條所指明的適用規定，在該船舶上備存該船舶的《船舶結構通道手冊》（屬已更新版本者）。

14. **建造繪圖及圖則**

(1) 船舶的船長及船長，須確保遵照《第 II-1 章》第 3-7.1 條，在該船舶上備存一套該條所指明的建造該船舶的建造繪圖及圖則。

(2) 船舶的船長及船長，須確保遵照《第 II-1 章》第 3-7.1 條，在岸上備存一套建造該船舶的建造繪圖及圖則。

15. **登上和離開船舶的設施**

2009 年後建造的船舶的船長及船長，須確保遵照《第 II-1 章》第 3-9 條所指明的適用規定，對登上和離開該船舶的設施，予以檢查和保養。

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**Division 2—Safety Operation of Ships**

12. **Emergency towing procedures**

The master of a ship must ensure that an emergency towing procedure specific to the ship is provided on the ship for use in emergency situations in compliance with the applicable requirements specified in regulation 3-4 (except regulation 3-4.2.1) of Chapter II-1.

13. **Manual for access to and within spaces in cargo area**

The owner and the master of a ship must ensure that an updated copy of ship structure access manual of the ship is kept on the ship in compliance with the applicable requirements specified in regulation 3-6 of Chapter II-1.

14. **Construction drawings and plans**

(1) The owner and the master of a ship must ensure that a set of the as-built construction drawings and plans of the ship specified in regulation 3-7.1 of Chapter II-1 is kept on the ship in compliance with that regulation.

(2) The owner of a ship must ensure that another set of the as-built construction drawings and plans of the ship is kept on shore in compliance with regulation 3-7.1 of Chapter II-1.

15. **Means of embarkation and disembarkation**

The owner and the master of a post-2009 ship must ensure that the means of embarkation on and disembarkation from the ship are inspected and maintained in compliance with the applicable requirements specified in regulation 3-9 of Chapter II-1.
16. **船舶建造檔案**

2009年後建造的船舶的船東及船長，須確保《第 II-1 章》第 3-10 條對以下事宜所指明的適用規定，就該船舶而獲遵從：船舶建造檔案如何適用《散裝貨輪及油輪建造標準》。

17. **防噪音保護**

船舶的船東，須確保《第 II-1 章》第 3-12 條對以下措施所指明的適用規定，就該船舶而獲遵從：降低機械噪音的措施，對過度噪音源頭進行絕緣或隔離的措施以及提供護耳器具的措施。

18. **完整穩定性**

2009年後建造的船舶的船東，須確保《第 II-1 章》第 5.6 條對吃水刻度的標記所指明的適用規定，就該船舶而獲遵從。

19. **浸水事故後的操作資料**

2009年後建造的船舶的船東，須確保《第 II-1 章》第 8-1 條對在浸水事故後的操作資料所指明的適用規定，就該船舶而獲遵從。

20. **在關閉裝置張貼告示**

2009年後建造的船舶的船長，須確保《第 II-1 章》第 15-1.4 條對在關閉裝置張貼告示所指明的適用規定，就該船舶而獲遵從。

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16. **Ship Construction File**

The owner and the master of a post-2009 ship must ensure that the applicable requirements on the Ship Construction File relating to the application of the Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers specified in regulation 3-10 of Chapter II-1 are complied with in relation to the ship.

17. **Protection against noise**

The owner of a ship must ensure that the applicable requirements on the measures to reduce machinery noise, the insulation or insolation of source of excessive noise and the provision of ear protector specified in regulation 3-12 of Chapter II-1 are complied with in relation to the ship.

18. **Intact stability**

The owner of a post-2009 ship must ensure that the applicable requirements on the marking of scales of draughts specified in regulation 5.6 of Chapter II-1 are complied with in relation to the ship.

19. **Operational information after flooding casualty**

The owner of a post-2009 ship must ensure that the applicable requirements on the operational information after a flooding casualty specified in regulation 8-1 of Chapter II-1 are complied with in relation to the ship.

20. **Affixing notice to closing appliances**

The master of a post-2009 ship must ensure that the applicable requirements on the affixing of a notice to closing appliances specified in regulation 15-1.4 of Chapter II-1 are complied with in relation to the ship.
21. **Load lines marks**

(1) The owner of a post-2009 ship must ensure that the applicable requirements on the assigning and marking of subdivision load line specified in regulation 18 of Chapter II-1 are complied with in relation to the ship.

(2) The master of the ship must ensure that the subdivision load line assigned and marked is recorded on the general safety certificate issued under section 15(1) of the Ordinance in respect of the ship.

(3) The master of the ship must ensure that the ship is not loaded so as to submerge the load line mark or the subdivision load line mark in contravention of regulation 18 of Chapter II-1.

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22. **Loading before departure**

(1) On completion of loading of a post-2009 ship and before its departure from a port, the master of the ship must determine the ship’s trim and stability, and ascertain the ship’s stability criteria and make such a record in compliance with the applicable requirements specified in regulation 20 of Chapter II-1.

(2) The master of the ship must ensure that ballast water is not carried in tanks intended for oil fuel except where oily water separating equipment is fitted or alternative means for disposing the oily water is provided as specified in regulation 20.2 of Chapter II-1.

23. **Operation and inspection of watertight doors etc.**

The master of a post-2009 ship must ensure that the applicable requirements on the conducting of drills, the operation and
以及對在航海日誌內記錄該等演習、操作和檢查所指明的適用規定，就該船舶而獲遵從。

24. 防止和控制入水等
2009年後建造的船舶的船長，須確保《第II-1章》第22及24條對所有水密門及其他門及開口的附件、關閉及開放所指明的適用規定，以及對在航海日誌內記錄在任何航程中關於上述各項的操作情況所指明的適用規定，就該船舶而獲遵從。

24. Prevention and control of water ingress etc.
The master of a post-2009 ship must ensure that the applicable requirements on the fitting, closure and opening of all watertight doors and other doors and openings and the recording of the operation on any voyage in the log-book specified in regulation 21 of Chapter II-1 are complied with in relation to the ship.

25. 2009年後建造的滾裝客船的特別規定
(1) 本條適用於滾裝客船(並屬2009年後建造的船舶)。
(2) 船舶的船東及船長，須確保《第II-1章》第23條對艙間監控和關於通道的操作程序及安排所指明的適用規定，以及對在航海日誌內記錄關於關閉通道的資料所指明的適用規定，就該船舶而獲遵從。
(3) 在本條中——
**滾裝客船**(ro-ro passenger ship) 指設有貨艙或車艙的客船，而在該等艙間內，貨物或車輛能以水平方向裝卸。

25. Special requirements for post-2009 ro-ro passenger ships
(1) This section applies to a post-2009 ship that is a ro-ro passenger ship.
(2) The owner and the master of a ship must ensure that the applicable requirements on the monitoring of spaces, operating procedures and arrangement relating to accesses, and the recording of closure of access in the log-book specified in regulation 23 of Chapter II-1 are complied with in relation to the ship.
(3) In this section——
**ro-ro passenger ship** (滾裝客船) means a passenger ship provided with cargo or vehicle spaces in which cargoes or vehicles can be loaded or unloaded in a horizontal direction.
第 4 分部——電力裝設及對有定時無人看管的機艙的船舶的規定

26. 應急電源
船舶的船長，須確保《第 II-1 章》第 42 及 43 條對為該船舶提供電力的整個應急系統的測試所指明的適用規定，就該船舶而獲遵從。

27. 定時無人看管的機艙的文件規定
(1) 本條適用於有定時無人看管的機艙的船舶。
(2) 船舶的船長，須確保在該船舶上備存符合《第 II-1 章》第 46 條規定的文件證據，該等證據須顯示該船舶在有定時無人看管的機艙的情況下，是否適合操作。

第 5 分部——雜項條文

28. 使用低閃點燃料
(1) 如以下情況均符合，船舶 (指明船舶除外) 可使用低閃點燃料——
   (a) 處長由於信納《國際氣體燃料規則》所指明的適用規定就該船舶而獲遵從，批准該船舶使用低閃點燃料；及
   (b) 《國際氣體燃料規則》對使用低閃點燃料的機械、設備及系统的布置、裝設、控制和監察所指明的適用規定，就該船舶而獲遵從。

Merchant Shipping (Safety) (Construction and Survey) Regulation

Part 2—Division 4

Section 26

Division 4—Electrical Installations and Requirements on Ships that have Periodically Unattended Machinery Spaces

26. Emergency source of electrical power
The master of a ship must ensure that the applicable requirements on the testing of the complete emergency system for providing electrical power in the ship specified in regulations 42 and 43 of Chapter II-1 are complied with in relation to the ship.

27. Documentary requirements on periodically unattended machinery spaces
(1) This section applies to a ship that has periodically unattended machinery spaces.
(2) The master of a ship must ensure that documentary evidence showing the ship’s fitness of operation with periodically unattended machinery spaces is kept on the ship in compliance with regulation 46 of Chapter II-1.

Division 5—Miscellaneous Provisions

28. Use of low-flashpoint fuel
(1) A ship (other than a specified ship) may use low-flashpoint fuel if—
   (a) the use is approved by the Director on being satisfied that the applicable requirements specified in the IGF Code are complied with in relation to the ship; and
   (b) the applicable requirements on the arrangement, installation, control and monitoring of machinery, equipment and systems using low-flashpoint fuel specified in the IGF Code are complied with in relation to the ship.
(2) The owner and the master of a ship (other than a specified ship) that uses low-flashpoint fuel must ensure that the applicable requirements on the testing, drills, emergency exercises and operations specified in the IGF Code are complied with in relation to the ship.

(3) In this section—

IGC Code (《國際氣體規則》) means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk set out in the Annex to Resolution MSC.5(48) adopted by the Maritime Safety Committee of the IMO on 17 June 1983, as from time to time revised or amended by any revision or amendment to any provision of such Code that applies to Hong Kong;

IGF Code (《國際氣體燃料規則》) means the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels set out in the Annex to Resolution MSC.391(95) adopted by the Maritime Safety Committee of the IMO on 11 June 2015, as from time to time revised or amended by any revision or amendment to any provision of such Code that applies to Hong Kong;

low-flashpoint fuel (低閃點燃料) means gaseous or liquid fuel that has a flashpoint lower than that permitted under regulation 4.2.1.1 of Chapter II-2 of the Annex to the Convention as from time to time revised or amended by any revision or amendment to that regulation that applies to Hong Kong;

specified ship (指明船舶) means—

(a) a gas carrier in relation to which the applicable requirements of the IGC Code are complied with; or

(b) a ship that is owned or operated by—

指明船舶 (specified ship) 指——

(a) 符合《國際氣體規則》的適用規定的氣體運輸船；或

(b) 由以下政府擁有或營運的船舶——

(i) 特區政府；或

(ii) 《公約》締約成員的政府；
29. **Navigation bridge visibility**

(1) A ship constructed on or after 1 July 1998 must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the navigation bridge visibility specified in regulation 22 of Chapter V.

(2) A ship constructed before 1 July 1998 must be designed, constructed, equipped and maintained in accordance with the applicable requirements on the navigation bridge visibility specified in regulation 22.2 of Chapter V.

(3) If ballast water exchange is undertaken to ensure a proper lookout at the navigation bridge of a ship, the master of the ship must ensure that the applicable requirements on the operation of ballast water exchange and the recording of the operation specified in regulation 22 of Chapter V are complied with in relation to the ship.

(4) In this section—

*Chapter V* (《第 V 章》) means Chapter V of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong.
Division 6—Passenger Ship Construction Regulations, Cargo Ship Construction and Survey Regulations, Offences and Penalties

30. Several provisions are passenger ship construction regulations
In so far as passenger ships registered in Hong Kong are concerned, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 28 and 29 are passenger ship construction regulations for the purposes of section 94 of the Ordinance.

31. Several provisions are cargo ship construction and survey regulations
In so far as cargo ships registered in Hong Kong are concerned, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 28 and 29 are cargo ship construction and survey regulations for the purposes of section 96 of the Ordinance.

32. Offences in relation to cargo ships registered in Hong Kong under Part 2
If section 4(1) or (2), 5, 6, 7, 8, 9, 10, 11(2), 28(1) or 29(1) or (2) is contravened in relation to a cargo ship registered in Hong Kong, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.

33. Offences in relation to non-Hong Kong ships under Part 2
If section 4(1) or (2), 5, 6, 7, 8, 9, 10, 11(2) or (3), 28(1) or 29(1) or (2) is contravened in relation to a non-Hong Kong ship, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.
34. **Other offences under Part 2**

A person who contravenes section 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25(2), 26, 27(2), 28(2) or 29(3) commits an offence and is liable to a fine at level 3.
Part 3

Additional Requirements for Ships Constructed on or after 1 July 2002 and before 1 January 2009

Division 1—Preliminary

35. Interpretation of Part 3

In this Part—

specified Chapter II-1 (《第 II-1 章指明版》) means Chapter II-1 of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by the following instruments adopted by the IMO that apply to Hong Kong—

(a) the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 17 February 1978;

(b) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 11 November 1988;

(c) Resolutions MSC.1(XLV), MSC.2(XLV), MSC.6(48), MSC.11(55) and MSC.12(56);

(d) Resolution 1 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 on the Global Maritime Distress and Safety System adopted on 9 November 1988;

(e) Resolutions MSC.13(57), MSC.19(58), MSC.26(60) and MSC.27(61);
36. Additional requirements for specified cargo ships and specified passenger ships

(1) A specified cargo ship must comply with—
   (a) the requirements imposed under Cap. 369S (except Part VI (survey) of Cap. 369S) in respect of a ship as if the requirements were imposed on a specified cargo ship; and
   (b) the requirements imposed in respect of a specified cargo ship under Part 2 and this Part.

(2) A specified passenger ship must comply with—
   (a) the requirements imposed under Cap. 369AM (except Part VII (surveys and certification) of Cap. 369AM) in respect of a ship as if the requirements were imposed on a specified passenger ship; and
   (b) the requirements imposed in respect of a specified passenger ship under Part 2 and this Part.
Part 3—Division 2
Section 37

Merchant Shipping (Safety) (Construction and Survey) Regulation

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37. Construction and initial testing of watertight bulkheads

(1) A specified cargo ship must comply with the applicable requirements on the construction and initial testing of the watertight bulkheads specified in regulation 14.3 of specified Chapter II-1.

(2) A specified passenger ship must comply with the applicable requirements on the construction and initial testing of the watertight bulkheads specified in regulation 14.3 of specified Chapter II-1.

38. Emergency source of electrical power in tankers

(1) A specified tanker must comply with the applicable requirements on the provision of emergency lighting in all cargo pump rooms specified in regulation 43 of specified Chapter II-1.

(2) In this section—

specified tanker (指明液貨船) means the following ship that is constructed on or after 1 July 2002 and before 1 January 2009—
Part 3—Division 3

Section 39

(a) a tanker;
(b) an oil tanker;
(c) a gas carrier; or
(d) a chemical tanker as defined by regulation 3 of Chapter II-1;

*tanker* (液貨船) means a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.

### Division 3—Passenger Ship Construction Regulations, Cargo Ship Construction and Survey Regulations, Offences and Penalties

39. **Several provisions are passenger ship construction regulations**

In so far as passenger ships registered in Hong Kong are concerned, sections 35, 36 and 37 are passenger ship construction regulations for the purposes of section 94 of the Ordinance.

40. **Several provisions are cargo ship construction and survey regulations**

In so far as cargo ships registered in Hong Kong are concerned, sections 35, 36, 37 and 38 are cargo ship construction and survey regulations for the purposes of section 96 of the Ordinance.

41. **Offences in relation to cargo ships registered in Hong Kong under Part 3**

If section 36(1), 37(1) or 38(1) is contravened in relation to a cargo ship registered in Hong Kong, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.

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(a) 液貨船；
(b) 油輪；
(c) 氣體運輸船；或
(d) 《第 II-1 章》第 3 條所界定的化學品液貨船；

液貨船 (tanker) 指為散裝運載易燃液體貨物而建造或改裝的貨船。

第 3 分部——客船構造規例、貨船構造及檢驗規例、罪行及罰則

39. **某些條文屬客船構造規例**

就本條例第 94 條而言，第 35、36 及 37 條，在其與在香港註冊的客船有關的範圍內，屬客船構造規例。

40. **某些條文屬貨船構造及檢驗規例**

就本條例第 96 條而言，第 35、36、37 及 38 條，在其與在香港註冊的貨船有關的範圍內，屬貨船構造及檢驗規例。

41. **第 3 部所訂的關乎在香港註冊的貨船的罪行**

如關乎在香港註冊的貨船而第 36(1)、37(1) 或 38(1) 條遭違反，該船船的船東及船長均屬犯罪，可處第 3 級罰款。
42. Offences in relation to non-Hong Kong ships under Part 3

If section 36, 37 or 38(1) is contravened in relation to a non-Hong Kong ship, the owner and the master of the ship each commits an offence and is liable to a fine at level 3.
Part 4

Additional Safety Measures for Bulk Carriers

Division 1—Preliminary

43. Interpretation of Part 4

In this Part—

Chapter XII (《第 XII 章》) means Chapter XII of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

solid bulk cargo (固體散裝貨物) means any cargo, other than liquid cargo or gas cargo, consisting of a combination of particles, granules or any larger pieces of material generally uniform in composition, which is loaded directly into the cargo spaces of a ship without any intermediate form of containment.

44. Application of Part 4

This Part applies to bulk carriers regardless of their date of construction.

Division 2—Requirements on Construction, Structure, Survey and Operation

45. Damage stability

A bulk carrier designed to carry solid bulk cargoes must comply with the applicable requirements on the damage stability specified in regulations 4.1, 4.2, 4.4, 4.5, 4.6 and 4.7 of Chapter XII.
46. 設計為運載固體散裝貨物的散裝貨輪，須符合《第 XII 章》第5條所指明的適用規定，在構造上具有足夠強度，抵受載貨船艙遭水浸。

47. 設計為運載固體散裝貨物的散裝貨輪，須符合《第 XII 章》第6.2、6.3及6.4條對結構及設計所指明的適用規定。

48. 散裝貨輪除非已符合《第 XII 章》第7條所指明的適用規定，令人滿意地通過以下其中一項檢驗——

(a) 定期檢驗；
(b) 對該貨輪的所有載貨船艙的檢驗，
否則不得運載任何固體散裝貨物。

(2) 散裝貨輪須符合《第 XII 章》第7條對保養所指明的適用規定。

49. 關於符合規定的資料

(1) 散裝貨輪須在該貨輪上備有《第 XII 章》第8.1條所指明的手冊，該手冊經主管機關批註，顯示該貨輪而言第45、46、47及48條均已獲遵從。

(2) 凡《第 XII 章》第8條所指明的載貨限制，適用於某散裝貨輪，則該貨輪須符合該條對該貨輪的船側標記所指明的適用規定。

46. Structural strength
A bulk carrier designed to carry solid bulk cargoes must be so constructed to have sufficient strength to withstand flooding in the cargo holds in compliance with the applicable requirements specified in regulation 5 of Chapter XII.

47. Structure and design
A bulk carrier designed to carry solid bulk cargoes must comply with the applicable requirements on the structure and design specified in regulations 6.2, 6.3 and 6.4 of Chapter XII.

48. Survey and maintenance
(1) A bulk carrier must not carry any solid bulk cargo unless it has satisfactorily undergone either of the following surveys in compliance with the applicable requirements specified in regulation 7 of Chapter XII—

(a) a periodic survey;
(b) a survey of all cargo holds of the bulk carrier.

(2) A bulk carrier must comply with the applicable maintenance requirements specified in regulation 7 of Chapter XII.

49. Information on compliance with requirements
(1) A bulk carrier must have on board the carrier a booklet specified in regulation 8.1 of Chapter XII endorsed by the Administration indicating that sections 45, 46, 47 and 48 are complied with in relation to the bulk carrier.

(2) A bulk carrier to which the restrictions on carriage of cargo specified in regulation 8 of Chapter XII apply must comply with the applicable requirements on the marking of the bulk carrier’s side specified in that regulation.
50. **Loading instrument**

(1) A bulk carrier must be fitted with a loading instrument capable of providing information in compliance with the applicable requirements specified in regulations 11.1 and 11.3 of Chapter XII.

(2) The computer software forming part of the loading instrument providing information on the bulk carrier's stability in intact position must be approved by the Administration based on the guidelines relating to the onboard use and application of computers.

51. **Water level detector**

A bulk carrier must be fitted with water level detectors that can give audible and visual alarms in cargo holds and ballast tanks in compliance with the applicable requirements specified in regulations 12.1 and 12.2 of Chapter XII.

52. **Pumping systems**

A bulk carrier must comply with the applicable requirements on the availability of pumping systems specified in regulation 13.1 of Chapter XII.

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53. **Offences under Part 4**

If section 45, 46, 47, 48, 49, 50, 51 or 52 is contravened in relation to a bulk carrier, the owner and the master of the bulk carrier each commits an offence and is liable to a fine at level 3.
Part 5
Survey of Passenger Ships and Cargo Ships

Division 1—Preliminary

54. Interpretation of Part 5

In this Part—

anniversary date (周年日期), in relation to a Safety Certificate that is in force in respect of a ship, means the day and month of each year which corresponds to the date of expiry of the Certificate;

applicable requirements for post-2009 cargo ship (2009年後貨船適用規定), in relation to a post-2009 cargo ship, means the requirements imposed in respect of the ship under—
(a) Part 2; and
(b) the regulations referred to in section 21A(1) of the Ordinance;

applicable requirements for post-2009 passenger ship (2009年後客船適用規定), in relation to a post-2009 passenger ship, means the requirements imposed in respect of the ship under—
(a) Part 2; and
(b) the regulations referred to in section 15(1) of the Ordinance;

applicable requirements for specified cargo ship (指明貨船適用規定), in relation to a specified cargo ship, means the requirements imposed in respect of the ship under—
(a) Parts 2 and 3; and

54. 第 5 部的釋義

在本部中——

2009年後客船適用規定 (applicable requirements for post-2009 passenger ship) 就 2009年後建造的客船而言，指根據以下的部或規例而就該船舶施加的規定——
(a) 第 2 部；及
(b) 本條例第 15(1) 條提述的規例；

2009年後建造的客船 (post-2009 passenger ship) 指在 2009年 1月 1日或之後建造的客船；

2009年後建造的貨船 (post-2009 cargo ship) 指在 2009年 1月 1日或之後建造的貨船；

2009年後貨船適用規定 (applicable requirements for post-2009 cargo ship) 就 2009年後建造的貨船而言，指根據以下的部或規例而就該船舶施加的規定——
(a) 第 2 部；及
(b) 本條例第 21A(1) 條提述的規例；

安全證書 (Safety Certificate)——
(a) 就客船而言——指客船安全證明書；或
(b) the regulations referred to in section 21A(1) of the Ordinance;

applicable requirements for specified passenger ship (指明客船適用規定), in relation to a specified passenger ship, means the requirements imposed in respect of the ship under—
(a) Parts 2 and 3; and
(b) the regulations referred to in section 15(1) of the Ordinance;

Cargo Ship Safety Certificate (貨船安全證明書) means a certificate issued under section 21A of the Ordinance;

Cargo Ship Safety Construction Certificate (貨船構造安全證明書) means a certificate issued under section 21(1) of the Ordinance;

Chapter I (《第I章》) means Chapter I of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

Government surveyor (政府驗船師) means a Government surveyor appointed under section 5 of the Ordinance;

Passenger Ship Safety Certificate (客船安全證明書) means a general safety certificate issued under section 15(1) of the Ordinance;

post-2009 cargo ship (2009年後建造的貨船) means a cargo ship constructed on or after 1 January 2009;

post-2009 passenger ship (2009年後建造的客船) means a passenger ship constructed on or after 1 January 2009;

prescribed fee (訂明費用), in relation to a matter, means the fee prescribed for the matter in the Merchant Shipping (Fees) Regulations (Cap. 281 sub. leg. F);

Safety Certificate (安全證書) means—
55. **Application of Part 5**

This Part applies to a Hong Kong ship constructed on or after 1 July 2002.

**Division 2—Application for Safety Certificates**

56. **Application for Safety Certificates**

(1) An application under section 15, 21 or 21A of the Ordinance for a Safety Certificate in respect of a ship must be accompanied by the prescribed fee for the Certificate.

(2) A Passenger Ship Safety Certificate must be issued by the Director under section 15(1) of the Ordinance in respect of a passenger ship if the Director is satisfied—

(a) that—

(i) if a Passenger Ship Safety Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 65; or

(ii) if a Passenger Ship Safety Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 66; and

(b) in relation to a cargo ship—

(i) a Cargo Ship Safety Certificate; or

(ii) a Cargo Ship Safety Construction Certificate.
(b) 基於有根據第 65(3)、66(4) 或 67(2) 條送交處長的檢驗聲明作為證明，信納——
   (i) 就指明客船而言——該船舶符合指明客船適用規定；或
   (ii) 就 2009 年後建造的客船而言——該船舶符合 2009 年後客船適用規定。

(3) 處長須根據本條例第 21A 條就貨船發出貨船安全證明書，前提是處長——
   (a) 信納——
       (i) 如該船舶從未獲發貨船安全證明書——該船舶的初次檢驗，已按照第 68 條進行；及
       (ii) 如該船舶曾獲發貨船安全證明書——該船舶的換證檢驗，已按照第 69 條進行；及
   (b) 基於有根據第 68(3)、69(4) 或 72(2) 條送交處長的檢驗聲明作為證明，信納——
       (i) 就指明貨船而言——該船舶符合指明貨船適用規定；或
       (ii) 就 2009 年後建造的貨船而言——該船舶符合 2009 年後貨船適用規定。

(b) that, on the evidence of a declaration of survey forwarded to the Director under section 65(3), 66(4) or 67(2)—
   (i) for a specified passenger ship—it complies with the applicable requirements for specified passenger ship; or
   (ii) for a post-2009 passenger ship—it complies with the applicable requirements for post-2009 passenger ship.

(3) A Cargo Ship Safety Certificate must be issued by the Director under section 21A of the Ordinance in respect of a cargo ship if the Director is satisfied—
   (a) that—
       (i) if a Cargo Ship Safety Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 68; or
       (ii) if a Cargo Ship Safety Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 69; and
   (b) that, on the evidence of a declaration of survey forwarded to the Director under section 68(3), 69(4) or 72(2)—
       (i) for a specified cargo ship—it complies with the applicable requirements for specified cargo ship; or
       (ii) for a post-2009 cargo ship—it complies with the applicable requirements for post-2009 cargo ship.
(4) A Cargo Ship Safety Construction Certificate must be issued by the Director under section 21(1) of the Ordinance in respect of a cargo ship if the Director is satisfied—

(a) that—

(i) if a Cargo Ship Safety Construction Certificate has never been issued in respect of the ship—an initial survey of the ship has been carried out in accordance with section 68; or

(ii) if a Cargo Ship Safety Construction Certificate has been issued in respect of the ship—a renewal survey of the ship has been carried out in accordance with section 69; and

(b) that, on the evidence of a declaration of survey forwarded to the Director under section 68(3), 69(4) or 72(2)—

(i) for a specified cargo ship—it complies with the requirements imposed in respect of the ship under Parts 2 and 3; or

(ii) for a post-2009 cargo ship—it complies with the requirements imposed in respect of the ship under Part 2.

Division 3—Duration of Safety Certificates

57. Duration of Safety Certificates from date of issue

Subject to this Division and Division 4—

(a) a Passenger Ship Safety Certificate is valid for the period specified by the Director in the Certificate in accordance with section 26(2) of the Ordinance; and
58. **Duration of Safety Certificates issued after renewal surveys**

A new Safety Certificate issued in respect of a ship as a result of a renewal survey of the ship carried out in accordance with section 66 or 69 is valid for the period specified by the Director in the Certificate in accordance with section 26(3A) of the Ordinance.

59. **Duration of Safety Certificates after early completion of certain surveys of cargo ships**

(1) This section applies if—

(a) an intermediate survey of a cargo ship is completed before the period within which the survey is required to be carried out under section 70; or

(b) an annual survey of a cargo ship is completed before the period within which the survey is required to be carried out under section 71.

(2) After a survey of a cargo ship is completed as described in subsection (1), the existing Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship must be endorsed to show a date described in the endorsement as the “new anniversary date” (new anniversary date), which must be a date that is within 3 months from the date of completion of the survey.
60. **Extension of validity period of Safety Certificates**

The Director may, in accordance with section 29 of the Ordinance, extend the validity period of an existing Safety Certificate issued in respect of a ship.

**Division 4—Cessation and Cancellation of Safety Certificates**

61. **Safety Certificates cease to be valid**

A Safety Certificate issued in respect of a ship ceases to be valid if—

(a) for a passenger ship—a survey referred to in Division 6 is not carried out in respect of the ship before the expiry of the period specified for the survey in that Division;

(b) for a cargo ship—

(i) a survey or inspection referred to in Division 7 is not carried out in respect of the ship before the expiry of the period specified for the survey or inspection in that Division;

(ii) the Certificate is not endorsed under section 70 after an intermediate survey of the ship is carried out; or

(iii) the Certificate is not endorsed under section 71 after an annual survey of the ship is carried out; or

(3) For the purposes of any intermediate survey or annual survey of the ship to be carried out under section 70 or 71 in any year after the endorsement, the period within which the survey must be carried out is to be ascertained by reference to the new anniversary date.
62. Cancellation of Safety Certificates

The Director may exercise the power under section 27 of the Ordinance to cancel a Safety Certificate issued in respect of a ship by giving a written notice to the owner and the master of the ship.

Division 5—Alteration and Certified True Copies of Safety Certificates

63. Alteration of Safety Certificates

(1) The owner of a ship in respect of which a Safety Certificate has been issued may request the Director to alter any of the particulars contained in the Certificate.

(2) The Director may refuse to make the alteration if the Director considers it to be a material alteration.

(3) If the Director agrees to make the alteration, the Director must, on payment of the prescribed fee, alter the Certificate.

64. Certified true copies of Safety Certificates

(1) The owner of a ship in respect of which a Safety Certificate has been issued may apply to the Director for the issue of a certified true copy of the Certificate.

(2) The application must be accompanied by the prescribed fee for the certified true copy.
Division 6—Surveys for Passenger Ships

65. Initial surveys for passenger ships

(1) An initial survey of a passenger ship is to be carried out by a Government surveyor—
   (a) before the ship is put into service; or
   (b) before a Passenger Ship Safety Certificate is issued for the first time in respect of the ship.

(2) An initial survey of a passenger ship must include a complete inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(3) If, after having carried out an initial survey of the ship, the Government surveyor is satisfied that it complies with—
   (a) for a specified passenger ship—the applicable requirements for specified passenger ship; or
   (b) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship,
    the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

66. Renewal surveys for passenger ships

(1) Subject to subsection (2), a renewal survey of a passenger ship is to be carried out by a Government surveyor within 1 year—
   (a) from the date of completion of the initial survey of the ship; or
   (b) if a renewal survey of the ship has been carried out—from the date of completion of the preceding renewal survey.
67. **Additional surveys for passenger ships**

(1) If the Director intends to require, under section 23(3) or 27(2) of the Ordinance, a survey (whether general or partial) of a passenger ship to be carried out, the Director may, by written notice to the owner and the master of the ship, require the ship to be so surveyed by a Government surveyor within a reasonable period specified in the notice.

(2) If, after having carried out an additional survey of the ship, the Government surveyor is satisfied that—

(a) it complies with—

   (i) for a specified passenger ship—the applicable requirements for specified passenger ship; or
(ii) for a post-2009 passenger ship—the applicable requirements for post-2009 passenger ship; and
(b) if repairs or renewals have been made to the ship—
   (i) the repairs or renewals have been effectively made; and
   (ii) the material used in, and the workmanship of, the repairs or renewals are satisfactory,
the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.

Division 7—Surveys for Cargo Ships

68. Initial surveys for cargo ships

(1) An initial survey of a cargo ship is to be carried out by a Government surveyor—
   (a) before the ship is put into service; or
   (b) before a Cargo Ship Safety Certificate or a Cargo Ship Safety Construction Certificate is issued for the first time in respect of the ship.

(2) An initial survey of a cargo ship must include a complete inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(3) If, after having carried out an initial survey of the ship, the Government surveyor is satisfied that it complies with—
   (a) for a Cargo Ship Safety Certificate—
      (i) for a specified cargo ship—the applicable requirements for specified cargo ship; or
      (ii) for a post-2009 cargo ship—the applicable requirements for post-2009 cargo ship; or

(ii) 就 2009 年後建造的客船而言——該船舶符合 2009 年後客船適用規定；及
(b) 如曾對該船舶作出修理或更新——
   (i) 該項修理或更新，已有效作出；及
   (ii) 用於該項修理或更新的材料，以及該項修理或更新的工藝水平，均屬令人滿意，
則該驗船師須作出一份表明其信納該事的檢驗聲明，並將該聲明送交處長。
69. 貨船的換證檢驗

(1) 除第(2)款另有規定外，貨船的換證檢驗，須由政府驗船師在以下期間內進行—

(a) 自該船初次檢驗的完成日期起計的5年；或

(b) 如該船曾進行換證檢驗自對上一次換證檢驗的完成日期起計的5年。

(2) 如有關船東發出的貨船安全證明書或貨船構造安全證明書的有效期，已根據第60條延長一段期間，則第(1)款提及的5年期間，須延長一段相同的期間。

(3) 貨船的換證檢驗，須包括對該船舶進行符合《第1章》所指明的適用規定的檢查。

(4) 有關政府驗船師對有關船舶進行換證檢驗後，如信納—

(a) 就貨船安全證明書而言—

(b) 就貨船構造安全證明書而言—

(i) 就指明貨船而言—該船舶符合根據第2及3部就該船舶施加的規定；或

(ii) 就2009年後建造的貨船而言—該船舶符合根據第2部就該船舶施加的規定，則該驗船師須作出一份表明其信納該事的檢驗聲明，並將該聲明送交處長。

69. Renewal surveys for cargo ships

(1) Subject to subsection (2), a renewal survey of a cargo ship is to be carried out by a Government surveyor within 5 years—

(a) from the date of completion of the initial survey of the ship; or

(b) if a renewal survey of the ship has been carried out—from the date of completion of the preceding renewal survey.

(2) If the validity period of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship has been extended under section 60, the period of 5 years referred to in subsection (1) is to be extended by the period for which the Certificate is extended.

(3) A renewal survey of a cargo ship must include an inspection of the ship in compliance with the applicable requirements specified in Chapter I.

(4) If, after having carried out a renewal survey of the ship, the Government surveyor is satisfied that it complies with—

(a) for a Cargo Ship Safety Certificate—
70. 貨船的中期檢驗

(1) 貨船的中期檢驗，須由政府驗船師在符合以下說明的期間內進行——

(a) 在就該船舶發出的貨船安全證明書或貨船構造安全證明書的第三個周年日期之前3個月開始，並在該第二個周年日期之後3個月完結；或

(b) 在就該船舶發出的貨船安全證明書或貨船構造安全證明書的第三個周年日期之前3個月開始，並在該第三個周年日期之後3個月完結。

(2) 貨船的中期檢驗，須包括對該船舶進行符合《第 I 章》所指明的適用規定的檢查。

70. Intermediate surveys for cargo ships

(1) An intermediate survey of a cargo ship is to be carried out by a Government surveyor—

(a) within the period commencing 3 months before, and ending 3 months after, the second anniversary date of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship; or

(b) within the period commencing 3 months before, and ending 3 months after, the third anniversary date of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate issued in respect of the ship.

(2) An intermediate survey of a cargo ship must include an inspection of the ship in compliance with the applicable requirements specified in Chapter I.
71. 貨船的年度檢驗

(1) 除第 (2) 款另有規定外，貨船的年度檢驗，須由政府驗船師在符合以下說明的期間內進行：在就該船舶發出的貨船安全證明書或貨船構造安全證明書的每個周年日期之前 3 個月開始，並在該周年日期之後 3 個月完結。

(2) 如已根據第 70 條，參照某周年日期而對有關船舶進行中期檢驗，則該船舶無須參照有關年份中的該周年日期而進行年度檢驗。

(3) 貨船的年度檢驗，須包括對該船舶進行符合《第 I 章》所指明的適用規定的一般檢查。

(3) If, after having carried out an intermediate survey of the ship, the Government surveyor is satisfied that it complies with—

(a) 則貨船安全證明書而言——

(i) 就指明貨船而言——該船舶符合指明貨船適用規定；或

(ii) 就 2009 年後建造的貨船而言——該船舶符合 2009 年後貨船適用規定；或

(b) 就貨船構造安全證明書而言——

(i) 就指明貨船而言——該船舶符合根據第 2 及 3 部就該船舶施加的規定；或

(ii) 就 2009 年後建造的貨船而言——該船舶符合根據第 2 部就該船舶施加的規定，

則該驗船師須在有關證明書上，作出表明其信納該事的簽註。
72. Additional surveys for cargo ships

(1) If the Director intends to require, under section 23(3) or 27(2) of the Ordinance, a survey (whether general or partial) of a cargo ship to be carried out, the Director may, by written notice to the owner and the master of the ship, require the ship to be so surveyed by a Government surveyor within a reasonable period specified in the notice.

(2) If, after having carried out an additional survey of the ship, the Government surveyor is satisfied that:

(a) it complies with—

(i) for a Cargo Ship Safety Certificate—

(A) for a specified cargo ship—the applicable requirements for specified cargo ship; or

(B) for a post-2009 cargo ship—the applicable requirements for post-2009 cargo ship; or

(ii) for a Cargo Ship Safety Construction Certificate—

(A) for a specified cargo ship—the requirements imposed in respect of the ship under Parts 2 and 3; or

(B) for a post-2009 cargo ship—the requirements imposed in respect of the ship under Part 2; and

(b) if repairs or renewals have been made to the ship—
73. **Inspection of cargo ships' bottoms**

(1) The outside of a cargo ship's bottom is to be subject to not less than 2 inspections by a Government surveyor during any 5-year period of validity of the Cargo Ship Safety Certificate or Cargo Ship Safety Construction Certificate, and the interval between any 2 inspections must not exceed 36 months.

(2) Despite subsection (1), if the ship in respect of which a Cargo Ship Safety Certificate or a Cargo Ship Safety Construction Certificate has been issued—

(a) is, on the date when the Certificate expires, not in Hong Kong nor in a port in which it is to be surveyed; or

(b) is registered in Hong Kong and engaged in short voyages,

and in each case the Director has granted an extension of the validity period of the Certificate under section 60, a reference to 5-year period in subsection (1) is to be regarded as, in relation to the ship, the extended period of validity of the Certificate.

(3) An inspection of the ship's bottom must comply with the applicable requirements specified in Chapter I.

(4) If, after having carried out the inspection, the Government surveyor is satisfied that the outside of the ship's bottom (i) the repairs or renewals have been effectively made; and

(ii) the material used in, and the workmanship of, the repairs or renewals are satisfactory, the surveyor must make a declaration of survey to that effect and forward the declaration to the Director.
Division 8—Enhanced Surveys for Bulk Carriers and Oil Tankers

74. Enhanced surveys for bulk carriers and oil tankers

(1) A bulk carrier and an oil tanker must be subject to an enhanced programme of inspections in accordance with the applicable requirements specified in regulation 2 of Chapter XI-1.

(2) In this section—

Chapter XI-1 (《第 XI-1 章》) means Chapter XI-1 of the Annex to the Convention, as from time to time revised or amended by any revision or amendment that applies to Hong Kong.

Division 9—Corrective Action

75. Corrective action to be taken

(1) A Government surveyor may, by written notice, require the owner or the master of a ship in respect of which a Safety Certificate has been issued to take the corrective action that the surveyor considers necessary within the period specified by the surveyor, if—

(a) the surveyor determines that the condition of the ship, or its equipment, does not correspond substantially with the particulars in the Certificate; or

(b) the surveyor determines that the ship, or its equipment, remains in a satisfactory condition and is fit for the service for which the ship is intended, the surveyor must make an endorsement to that effect on the Certificate.
(b) the surveyor is of the opinion that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(2) The Government surveyor must, on giving a notice under subsection (1), inform the Director of the notice.

(3) If a corrective action is not taken within the period specified by the Government surveyor, the surveyor must inform the Director and the Director may, by written notice to the owner and the master of the ship, withdraw the Safety Certificate issued in respect of the ship (relevant Certificate).

(4) On receiving a notice under subsection (3), the owner and the master of the ship must deliver the relevant Certificate to the Director immediately.

(5) The owner or the master of the ship may, after the corrective action in respect of the ship has been taken, apply to the Director for the return of the relevant Certificate.

(6) On receiving an application under subsection (5), if the Director is satisfied that the corrective action in respect of the ship has been taken, the Director must, by written notice to the applicant, return the relevant Certificate to the applicant.

Division 10—Transitional and Savings Provisions

76. Transitional and savings provisions for certificates issued under Cap. 369AM and Cap. 369S

(1) A Passenger Ship Safety Certificate (first-mentioned Certificate)—

(a) that is issued under regulation 83(1) of Cap. 369AM in respect of a designated passenger ship; and
(b) 在緊接 2019 年 3 月 1 日前有效，
則前述證明書須視為第 54 條所界定的客船安全證明書，
本部的條文據此就前述證明書及該船舶而適用。

(2) 就指定貨船而發出的貨船構造安全證明書 (前證明書)；
如符合以下所有說明——
(a) 係根據《第 369S 章》第 56(3) 或 57(3) 條就該船舶而
發出的證明書；
(b) 在緊接 2019 年 3 月 1 日前有效，
則前證明書須視為第 54 條所界定的貨船構造安全證明
書，本部的條文據此就前者證明書及該船舶而適用。

(3) 在本條中——

指定客船 (designated passenger ship) 指在 2002 年 7 月 1 日或
之後而在 2019 年 3 月 1 日之前建造的客船；

指定貨船 (designated cargo ship) 指在 2002 年 7 月 1 日或之後
而在 2019 年 3 月 1 日之前建造的貨船。

2018 年 12 月 4 日

運輸及房屋局局長
陳帆

Merchant Shipping (Safety) (Construction and Survey) Regulation

Part 5—Division 10
Section 76

(b) that is in force immediately before 1 March 2019,
is regarded as a Passenger Ship Safety Certificate as
defined by section 54, and the provisions of this Part
apply in relation to the first-mentioned Certificate and the
ship accordingly.

(2) A cargo ship safety construction certificate (former
certificate)—
(a) that is issued under regulation 56(3) or 57(3) of Cap.

369S in respect of a designated cargo ship; and
(b) that is in force immediately before 1 March 2019,
is regarded as a Cargo Ship Safety Construction
Certificate as defined by section 54, and the provisions of
this Part apply in relation to the former certificate and the
ship accordingly.

(3) In this section—

designated cargo ship (指定貨船) means a cargo ship
constructed on or after 1 July 2002 and before 1 March
2019;

designated passenger ship (指定客船) means a passenger ship
constructed on or after 1 July 2002 and before 1 March
2019.

Frank CHAN Fan
Secretary for Transport and
Housing

4 December 2018
Explanatory Note

The object of this Regulation is to give effect to Chapters I, II-1, XI-1 (regulation 2) and XII of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended from time to time by any revision or amendment that applies to Hong Kong (Conventıon). Chapter I covers the surveys of ships as well as the issue of safety certificates. Chapter II-1 covers the technical requirements on the construction and structure of ships, their subdivision and stability, the machinery and electrical installations. Chapter XI-1 covers the special measures to enhance maritime safety. Chapter XII covers additional safety measures relating to structures for bulk carriers engaged in international voyages.

2. The Regulation is divided into 5 Parts.

3. Part 1 covers the preliminary matters.

4. Section 1 specifies the commencement date of the Regulation.

5. Section 2 contains the definitions necessary for the interpretation of the Regulation.

6. Section 3 covers the scope of application of the Regulation.

7. Part 2 implements Chapter II-1 of the Convention. It covers the construction, structure, subdivision, stability, machinery and electrical installations of ships. It also covers the requirements applicable to ships using low-flashpoint fuels.
8. Part 3 implements the requirements in Chapter II-1 of the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by certain resolutions adopted by the International Maritime Organization that are applicable to ships constructed on or after 1 July 2002 and before 1 January 2009.

9. Part 4 implements Chapter XII of the Convention. It covers the additional safety measures applicable to the construction of bulk carriers which are engaged in international voyages.

10. Part 5 implements Chapter I of the Convention. It covers the surveys of passenger ships and cargo ships as well as the duration, validity, extension and cancellation of safety certificates issued under the Merchant Shipping (Safety) Ordinance (Cap. 369) in respect of the ships. Part 5 provides for the procedural details and should be read together with that Ordinance in which certification requirements have been provided for.

11. Part 5 also implements regulation 2 of Chapter XI-1 of the Convention relating to the construction of bulk carriers and oil tankers. To enhance maritime safety, the bulk carriers and oil tankers are subject to enhanced surveys in accordance with the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 mentioned in that regulation.