

Hong Kong Fleet Operation Advisory Committee

**Proposed Legislative Amendments to
the Merchant Shipping (Safety) (Fire-fighting Appliances and Fire
Protection) Regulation (Cap. 369BE)**

Purpose

This paper seeks members' views on the proposed legislative amendments to Cap.369BE (the "Regulation") for implementation of the latest amendments to the "International Convention for the Safety of Life at Sea, 1974" ("SOLAS") and the "International Code for Fire Safety Systems" ("FSS Code").

Background

2. The International Maritime Organization (IMO) has mandated the FSS Code under Chapter II-2 of the SOLAS internationally since 1 July 2002 to provide international standards of specific engineering specifications for fire safety systems on ships. The requirements of these fire safety systems are implemented in Hong Kong through the Regulation, which applies to ships registered in Hong Kong and non-Hong Kong ships while they are within Hong Kong waters.

3. The latest amendments to the FSS Code under Resolution MSC.403(96) (details at **Appendix 1**) and Chapters II-2 and III of the

SOLAS under Resolution MSC.404(96) (details at **Appendix 2**) were adopted by the Maritime Safety Committee (MSC) of the IMO on 19 May 2016. These two Resolutions will enter into force internationally on 1 January 2020.

Proposed Legislative Amendments

4. Whilst certain amendments to the two Resolutions do not require legislative amendment to the Regulation by virtue of the direct reference approach (DRA)¹, the amendments to Regulation 18 of Chapter II-2 of the SOLAS under Resolution MSC.404(96) and the addition of a new Chapter 17 to the FSS Code under Resolution MSC.403(96) with respect to fire safety requirements for ships with helicopter facility can only be effected through legislative amendments to the Regulation.

5. In order to comply fully with the two Resolutions, we propose to amend Section 16 of the Regulation to require ships installed with purpose-built helideck for routine operation of helicopter and ships provided with a helicopter landing area for occasional or emergency landing of helicopter to install foam fire-fighting appliances meeting the requisite specifications.

Views Sought

¹ By virtue of the DRA, the following latest amendments to the SOLAS and the FSS Code can be implemented without the need to amend local legislation -

- (i) Chapter 8 of FSS Code as set out in the Resolution MSC.403(96) for the prevention of internal corrosion and clogging of automatic sprinklers;
- (ii) Chapter II-2 of SOLAS as set out in the Resolution MSC.404(96) for the evacuation analysis to all passenger ships; and
- (iii) Chapter III of SOLAS as set out in the Resolution MSC.404(96) for the maintenance, testing and inspection of life-saving appliances.

6. Members' comments, if any, are sought on the proposed legislative amendments as stated in paragraphs 4 to 5 above.

November 2019
Multi-lateral Policy Division
Marine Department

Enclosures:
Appendix 1: IMO Resolution MSC.403(96)
Appendix 2: IMO Resolution MSC.404(96)