

LOCAL VESSELS ADVISORY COMMITTEE

Implementation of COLREGs Amendments on Local Vessels

Purpose

1. The purpose of this paper is to seek members' views on the proposed amendments to the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N) which are required to give effect to the amendments adopted by recent IMO Assembly resolutions.

Background

2. The Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREGs) and its amendments are implemented in Hong Kong through the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N) made under the Merchant Shipping (Safety) Ordinance, Cap.369. Section 27 of Cap.548 has stipulated that Cap.369N shall apply to all local vessels. In this connection, local vessels shall comply with the relevant requirements as stipulated in COLREGs.

3. The present Cap. 369N was last amended in 1995 and includes the 1993 and earlier amendments to COLREGs 1972. Since then, the following amendments to COLREGs 1972 have been adopted by IMO:

- (1) 2001 Amendments, adopted by IMO Assembly Resolution A.910(22) on 29.11.2001, and came into force on 29.11.2003;
- (2) 2007 Amendments, adopted by IMO Assembly Resolution A.1004(25) on 29.11.2007, and came into force on 01.12.2009; and
- (3) 2013 Amendments, adopted by IMO Assembly Resolution A.1085(28) on 10.12.2013, and will come into force on 01.01.2016.

4. The above IMO resolutions are enclosed in the Annex 1 to this paper for members' references.

The Proposal

5. To bring the relevant Hong Kong legislations in line with the latest amendments to COLREGs, the amendments to the existing sub-legislation Cap.369N are proposed to include the following amendments: (Details of these amendments are elaborated in the table at the Annex 2.)

- (1) Amendments to the Schedule of Cap.369N in accordance with IMO Resolutions A.910(22) and A.1004(25).
- (2) Amendments to Regulation 2 ("Interpretation") of Cap.369N to remove certain out-dated terms and revise interpretations for some of the publications published by IMO to reflect the recent changes.

6. The 2013 Amendments (adopted by Resolution A.1085(28)) added a new part with three rules into COLREGs 1972. The new rules require that Contracting Party (government) be subject to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of the present Convention. They do not set any new requirements relating to signals of distress or prevention of collisions. Since these are government obligations which will be implemented through administrative measures, these new requirements will not be added to the Schedule of Cap.369N.

Implication to the shipping industry

7. The amendments mentioned in paragraph 5 neither impose any more stringent operational requirements for vessels, nor require additional equipment to be installed. Some requirements have even been relaxed (e.g., vessels between 12 and 20 metres in length are no longer required to carry a bell). The amended regulation will therefore have no impact on the running cost and operation of local vessels. Vessels engaged in international and river trade voyages, while within the water of Hong Kong, are subject to the same safety requirements.

8. On 16 April 2015, Consultation paper for the above amendments was disseminated

to members of Sub-committee on Survey Work of Local Vessels for comments. No objection has been received.

Action Requested

9. Members are invited to comment on the above proposal for implementing the requirements of COLREGS that are applicable to local vessels.

Marine Department
Multi-lateral Policy Division
April 2015

Enclosure:

Annex 1: IMO Resolutions A.910(22), A.1004(25), and A.1085(28);

Annex 2: Summary of Amendments to the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N)