

**Local Vessels Advisory Committee**

**Clarification on the Scope of Services and Conditions of Authorization of Authorized Surveyor**

**Purpose**

This paper provides members with clarification with regard to the scope of services and conditions of authorization of Authorized Surveyor (AS).

**Background**

2. Under Section 7 of Cap.548<sup>1</sup>, the Director of Marine (DM) may appoint a person, or a person belonging to a class of persons, who is not a public officer to be a surveyor for the purposes of Cap.548 subject to conditions of authorization.

3. It is noted that some owners and/or operators of local vessels as well as the trade might not be in full awareness of the scope of authorized services and some important conditions of authorization of AS. This paper serves to clarify these aspects for the benefits of all stakeholders.

**Scope of Services under the Authorization**

4. The authorized scope of services includes approval of plans, initial survey and periodical survey for issuing certificates and statutory instruments to certain local vessels as required under Cap.548G<sup>2</sup>. If an AS performs any other services for a local vessel, he shall not do so under the capacity of an AS but as a consultant, whether or not the service is a requirement set out by the Marine Department (MD) or any other departments of the Government of Hong Kong SAR.

5. In approving plans, AS is required to verify that the assumptions, rules, regulations and standards as required under Cap.548G, relevant Code of Practice issued by DM (COP) and guidance issued to AS by MD that are applicable to the vessel are correctly applied, all the information carried on various plans and

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<sup>1</sup> Cap.548 means the Merchant Shipping (Local Vessels) Ordinance.

<sup>2</sup> Cap.548G means the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation.

calculations of a vessel are consistent and the calculations are correctly carried out.

6. In carrying out survey, AS is required to ensure that the construction and maintenance of a vessel is in accordance with the general requirements under Part 5 of Cap.548G and specific requirements under various applicable sections of Cap.548G.

7. The types of local vessels under the scope of authorization are specified in the letter of authorization issued to an AS. The details can be found at [https://www.mardep.gov.hk/en/pub\\_services/ocean/pdf/lvs\\_list.pdf](https://www.mardep.gov.hk/en/pub_services/ocean/pdf/lvs_list.pdf).

### **Conditions of Authorization**

8. An AS shall conduct personally or supervise personally on site for any survey or inspection relating to the services performed by him.

9. DM's agreement shall be sought by an AS before applying other standard, specification or practical guidance that are stipulated by other organization/authorities.

10. The interpretation of applicable requirements with respect to relevant legislation, COP and standards/guidance, as well as the acceptance of substitutes for the requirements is the prerogative of DM, not the AS. The AS shall cooperate and follow such interpretation or determination as necessary. DM's interpretation shall be the final.

### **Attention drawn**

11. Granting of exemption or dispensation to a local vessel is the sole prerogative of DM and only DM may issue exemption certificates.

12. While an AS plays a critical role in ensuring the safety and compliance of vessels, he shall only perform authorized services for certain local vessels under the authorization.

13. For any clarification, please contact the following officer:

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