

LOCAL VESSELS ADVISORY COMMITTEE

Updated Rules for the Issue of Local Certificates of Competency for Local Vessel Operators

Purpose

The purpose of this paper is to inform LVAC members of the updated rules for the issue of local certificates of competency for local vessel operators, the specified fees associated with examination/certification under the rules and the provisions for the transition from the existing rules to the new rules upon enforcement of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548.

Background

2. Over the years, the principal legislation which governs the control of the port of Hong Kong and both local and Convention vessels in Hong Kong is the Shipping and Port Control Ordinance, Cap. 313. Local certificates of competency for operators of local vessels have been issued under various rules under the Shipping and Port Control Ordinance, Cap. 313 instead of a single set of rules. It is not user-friendly to operators of local vessels.

3. The Local Craft Review (LCR) completed in 1989 recommended that all those parts of legislation dealing with the control and safety of local vessels should be repealed and replaced by a set of comprehensive legislation that solely governs local vessels.

4. On 7 July 1999, the new Merchant shipping (Local Vessels) Ordinance, Cap. 548 (the Ordinance) was passed by the Legislative Council. To implement the Ordinance, it is necessary to introduce various regulations and rules. Section 16 of the Ordinance empowers the Director of Marine (the Director) to conduct examinations for the grant of local certificates of competency to operators of local vessels and make rules for such examinations.

5. In consultation with the Provisional Local Vessels Advisory Committee (PLVAC) and the Committee on Boating and Yachting (COMBAY), advisory body for the management of local vessels and pleasure vessels respectively, and the representatives of majority local vessel operators, the drafting work of the following three rules have been finalized for implementation when the Ordinance is being enforced:-

- (i) Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules (CoC Rules);
- (ii) Examination Rules for Local Certificates of Competency (ER for LCC);
- (iii) Examination Rules for Pleasure Vessel Operator Certificate of Competency (ER for PVOC),

which are outlined below.

The Rules

- (i) *Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules (CoC Rules) (Annex 1)*

6. The CoC Rules is made by the Director under section 16 of the Ordinance providing for the different classes of local certificates of competency, the addition or removal of endorsements on local certificates of competency, the issue and the method of granting such certificates, the combining of 2 or more classes or grades of local certificates of competency in one document if appropriate, the recognition of equivalency of certain certificates, provisions relating to former certificates and the specified fees in relation to examinations and certification under this CoC Rules.

7. Provisions for the transition from the existing rules to the new rules upon enforcement of the new Ordinance has been included in PART 6 of this CoC Rules. A Marine Department Notice will be issued to inform the public before the commencement of the Ordinance.

8. In general, this CoC rules provides the frame work for the issue of local certificates of competency. Under this frame work, two sets of examination rules are made to provide for the technical details of conducting examinations for local certificates of competency and pleasure vessel operator certificates of competency.

(ii) *Examination Rules for Local Certificates of Competency (ER for LCC)*
(Annex 2)

9. The ER for LCC provides technical details for competency examinations for the issue of Local Certificates of Competency (LCCs), which include classes of LCCs and Type Rating Certificates (TRC), eligibility criteria for each grade of certificate, eyesight standards, applications, examination procedures and general provisions, examinations, examination syllabuses, exemption and recognized training courses, details of examinations for TRC, validity of certificates and extension of certificates.

(iii) *Examination Rules for Pleasure Vessel Operator Certificate of Competency (ER for PVOC) (Annex 3)*

10. The ER for PVOC provides technical details for competency examinations for the issue of Pleasure Vessel Operator Certificates of Competency (PVOCs), which include classes of PVOCs, eligibility criteria for each grade of certificate, eyesight standards, applications, examination procedures and general provisions, examinations, examination syllabuses, validity of certificates, extension of certificates, recognition of former certificates for the purpose of examination and exemption.

Enquiry

11. Enquiries on the above-mentioned rules can be directed to:

Senior Surveyor/Seafarers' Certification
Room 306, 3/F Harbour Building,
38 Pier Road, Central, Hong Kong.
Tel.: 2852 4368
Fax: 2541 6754

Consultation

12. The *Proposals for Operators Licences for Licensed Vessels* (PLVAC Paper No. 2/91) and *Authorization of Hong Kong Yachting Association training Scheme for Obtaining Pleasure Vessel Certificates of Competency* (PLVAC Paper

No. 4/92) were first presented to the Provisional Local Vessels Advisory Committee (PLVAC) for discussion and were endorsed by PLVAC in 1991 and 1992 respectively. Since then, the PLVAC, the Committee on Boating and Yachting (COMBAY) and representatives of majority operators of local vessels, which include commercial vessels, fishing vessels and pleasure vessels groups had been consulted through various meetings to finalize the Rules mentioned in paragraphs 6–10.

Action required by Members

13. This paper is for the information of members.

*Seafarers' Certification Section
Marine Department
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