

## **LOCAL VESSELS ADVISORY COMMITTEE**

### **Update on Proposed Amendments to the Examination Rules for Local Certificates of Competency**

#### **Purpose**

This paper sets out the proposed amendments to the Examination Rules for Local Certificates of Competency (“Rules”) to relieve the manpower shortage problem for the local shipping industry and to enhance the navigational safety of local passenger vessels.

#### **Manpower shortage problem for the local shipping industry**

#### Background

2. The local shipping industry has encountered severe manpower shortage and succession problems in recent years. Apart from aging workforce, retirement wave and failing to attract new blood joining the industry, several large scale marine infrastructure developments (such as the construction work of Hong Kong-Zhuhai-Macao Bridge and the third airport runway project) have also generated a huge demand on local marine workforce. In particular, the situation has imposed a negative impact on the local ferry sector whereby if not being promptly rectified, public transport services would likely be seriously disrupted in the coming years.

#### Proposals

3. In response to the trade’s suggestions and the discussion at 21<sup>st</sup> LVAC meeting held on 30 December 2016, MD proposes the following measures to alleviate the manpower shortage problem that require the amendments to the existing Rules –

- (a) *To grant an endorsement to allow a Coxswain Grade 2 Certificate (“CoC 2”) or a “60 tons” CoC holder to act as the coxswain of specified vessel that is of more than 26.4 metres in length overall*

To ease the trade's manpower problem (especially the shortage of Grade 1 coxswains to operate large vessels), it is proposed that a CoC 2 or a "60 tons" CoC holder may be granted an endorsement to allow him/her to operate a large local vessel subject to the following conditions –

- (i) the applicant has completed the company's in-service shipboard training programme approved by MD;
- (ii) the applicant has passed a practical assessment<sup>1</sup> conducted by MD; and
- (iii) the endorsement is only valid for specified type of vessels and specified route in the CoC.

***(b) To allow a candidate to sit for coxswain or engine operator Grade 3 examination first before acquiring the necessary sea experience for meeting the requirement of Local Grade 3 Certificate of Competency ("CoC 3")***

- (i) Under the current examination system, it is a mandatory requirement that a candidate intended for coxswain Grade 3 qualification has to complete a maritime preparatory course, the sea service requirement and a shipboard training programme before he/she is allowed to sit for coxswain "CoC 3" examination.
- (ii) Candidates for engine operator CoC 3 examination are not required to attend the maritime preparatory course and shipboard training programme, but the candidate is still required to have 12-month sea service before he/she is allowed to apply for the examination. However, engine operator CoC 3 examination candidates who have satisfactorily completed the approved maritime preparatory course, they may be granted with a 3-month remission of the sea service required for the examination.
- (iii) Feedback from the trade is that this arrangement deters youngsters from joining the trade concerning that they may not be able to pass the examination despite having spent a lengthy period working on board local vessels.

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<sup>1</sup> The outline of the syllabus of the practical assessment is at *Appendix 1*.

(iv) Taken consideration the trade's view, it is proposed to amend the examination rules to allow a candidate for coxswain "CoC 3" qualification to sit for examination first after completing the maritime preparatory course approved by the Director of Marine. They will attain the coxswain CoC 3 qualification only upon passing the coxswain CoC 3 examination, fulfilling sea service requirement and completing shipboard training programme.

(v) Similarly, a candidate intended to apply for engine operator "CoC 3" are eligible to sit for engine operator "CoC 3" examination. Upon passing the examination, if the candidate fulfils the 12-month sea service requirement on mechanized vessel (except for pleasure vessels), or completes the approved maritime preparatory course and 9-month sea service requirement, he/she will attain the engine operator "CoC 3" qualification.

## **Navigational safety of local passenger vessels**

### Background

4. The Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012 ("CoI Report") was released in April 2013. Amongst others, the CoI Report recommended that local passenger vessels permitted to carry more than 100 passengers should be required to install radar.<sup>2</sup> MD concurs that the proposed requirement will be conducive to enhancing the overall marine safety and the safety of passengers on board, and have completed the relevant legislative amendments of the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548F) and the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap. 548G).<sup>3&4</sup>

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<sup>2</sup> Vide para. 443(3) of "Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012" retrievable at <http://www.legco.gov.hk/yr12-13/english/panels/edev/papers/edev0527-rpt20130430-e.pdf>

<sup>3</sup> The legislative amendments were gazetted on 9 December 2016. For details, see L.N. 186/2016 (<http://www.gld.gov.hk/egazette/pdf/20162049/es220162049186.pdf>) and L.N. 187/2016 (<http://www.gld.gov.hk/egazette/pdf/20162049/es220162049187.pdf>). The negative vetting procedure was completed on 8 February 2017.

## Proposal

5. The legislative amendments apart from the installation requirement require that, the radar equipment fitted on the vessel must be used and operated by a holder of a local certificate of competency as a coxswain of a local vessel with an endorsement that the holder is competent in the use and operation of radar equipment. The radar operators need to have completed a radar training course approved by the Director of Marine before obtaining the said endorsement.

6. To align with the requirements of the amended legislation, MD will amend the Rules to set out the eligibility criteria and procedures for issuing/endorsing the CoC for competent radar operators before the proposed legislative amendments come into operation, i.e. 1 December 2017.

## Consultation

7. The Manpower Development Committee under the Hong Kong Maritime and Port Board was consulted on the measures outlined in paragraph 3 in October 2016. The Members of the Committee expressed no objection to the proposals.

8. At the LVAC meeting held on 25 April 2014, Members endorsed, amongst others, the proposed installation requirement of radar as well as the related operational requirement.<sup>5</sup>

9. The Sub-committees on Class I Vessels, Class II Vessels and Class III Vessels under the LVAC were consulted on the measures outlined in paragraphs 3, 5 and 6 in November 2016. The Members of the sub-Committees expressed no objection to the proposals.

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<sup>4</sup> MD's proposal regarding the installation requirement of radar on Class I vessels excludes floating restaurants, stationary vessels and Class I vessels the operating licences of which restrict the vessels to plying within typhoon shelters. It also excludes Class I vessels which operate a franchised or licensed ferry service, and which ply only within the Victoria port without any permission granted to proceed at a speed exceeding the statutorily permitted speed.

<sup>5</sup> For details, please see paragraphs 3 to 8 of the minutes of the 15<sup>th</sup> LVAC meeting ([http://www.mardep.gov.hk/en/aboutus/pdf/lvac\\_m140425.pdf](http://www.mardep.gov.hk/en/aboutus/pdf/lvac_m140425.pdf)).

10. At 21<sup>st</sup> LVAC meeting held on 30 December 2016, members discussed the proposed amendments of the Rules vide LVAC Paper No. 20/2016. LVAC members agreed in principle and welcomed the proposed amendments, but required more time to peruse the paper. To attract more youngsters to join this industry, members were of the view that the 1-month sea service experience before enrolling in the maritime preparatory course should be relaxed. Upon deliberation, the meeting agreed to further discuss the proposal with the stakeholders.

11. Upon considering the views from the stakeholders, MD proposes that for those intended to attain the coxswain CoC 3 qualification, can directly apply for the maritime preparatory course without any sea service experience before sitting for the coxswain CoC 3 examination. Upon passing the examination and completing the sea service experience and shipboard training programme would the coxswain CoC 3 qualification be granted.

12. This paper supersedes LVAC Paper No. 20/2016.

### **Advice Sought**

13. Members are invited to comment on the proposals set out in paragraphs 3, 5, 6 and 11 above; and the proposed syllabus of the practical assessment appended in the *Appendix 1* and the draft text of the amendment to the Rules appended in the *Appendix 2*.

Shipping Division  
Marine Department  
March 2017

**Outline of the Syllabus of the Practical Assessment**

1. Knowledge on bridge controls and equipment
2. Use of VHF including emergency calls and normal radiocommunications with port stations
3. Precautions while navigation in fairways or channels
4. If circumstances admit, taking avoiding actions in accordance with the collision regulations
5. Ship Handling (e.g. manoeuvring the ship by steering or conning the wheel, making round turn, stop or emergency stop and berthing and / or unberthing / or anchoring)
6. Emergency Handling (e.g. oil spill, grounding, rescue, fire-fighting, abandon ship, collision and local knowledge on handling emergency situations)

## Amendments of the Rules

### 1. To add a new subsection in Chapter 2 – Radar Operator Endorsement

#### 2.12 Radar Operator Endorsement

A person operating radar fitted on board a local vessel shall, in addition to the appropriate Coxswain Certificate, be required to hold a Radar Operator Endorsement showing that the holder is competent in the use and operation of radar equipment.

### 2. To amend existing subsection 3.1.1 -- Coxswain Grade 3 Certificate

3.1.1 To be eligible for the application for the examination of a Coxswain Grade 3 Certificate an applicant must:-

- (1) be at least 18 years of age;
- (2) provide the Declaration Form for Service Onboard Local Vessel in order to verify for meeting any one of the following requirements:- be able to prove to have :-
  - (a) (i) ~~—a minimum of 1-year~~ 9 months of service in any deck or engineering capacity in any mechanized vessels other than pleasure vessels, or  
(ii) ~~—the sea service requirement be reduced to 9 months if he/she has completed a maritime course recognized by the Director.~~
  - (b) (i) ~~—2 years'~~ a minimum of 18 months' service on non-mechanized cargo vessels, or  
(ii) ~~—the sea service requirement be reduced to 18 months if he/she has completed a maritime course recognized by the Director; or~~
  - (c) (i) ~~—2 years'~~ a minimum of 18 months' service

on pleasure vessels whilst holding any type of pleasure vessel certificate of competency; ~~or~~

~~(ii) — the sea service requirement be reduced to 18 months if he/she has completed a maritime course recognized by the Director;~~

(3) reach the eyesight standard described in Chapter 4 of these Rules; and

(4) be able to prove to have attended a maritime preparatory course recognized by the Director prior to Coxswain Grade 3 Certificate examination.

~~(4) — with effect from 2 January 2015:—~~

~~(a) be able to prove to have completed in-service training according to the above paragraphs 3.1.1(2)(a) to (c).— The in-service training records shall be conformed to a proper documents as prescribed by the Director; and~~

~~(b) be able to prove to have attended a maritime course recognized by the Director prior to Coxswain Grade 3 Certificate examination.— The time taken for completing the maritime course is considered as the service time.~~

~~(5) — If an applicant has not attended a maritime course recognized by the Director, but he/she has fulfilled the requirements as stipulated in paragraph 3.1.1(1), any one of sub-paragraph (i) in 3.1.1(2) and 3.1.1(3) and submits an application for the examination of Coxswain Grade 3 Certificate before 2 January 2015, the applicant may be allowed to attend one of the examinations scheduled on or before 30 June 2015.~~

3.1.2 Notwithstanding the requirements stipulated in paragraph 3.1.1(2)(a) to (c), the applicant can sit for the examination upon completing the recognized maritime preparatory course as stipulated in paragraph 3.1.1(4). However, in order to attain the Coxswain Grade 3 Certificate, he/she ought to have fulfilled sea service requirement and completed the shipboard training programme.



3.1.23 To be eligible for the issue of a Coxswain Grade 3 Certificate, an applicant must pass the Coxswain Grade 3 Examination described in paragraph 6.1.1 and paragraph 7.1 of these Rules.

**3. To add a new subsection 3.7 in Chapter 3 -- Radar Operator Endorsement**

3.7.1 To be eligible for the issue of a Radar Operator Endorsement an applicant must: -

- (1) have already obtained ~~the Coxswain Grade 3~~ any grade coxswain certificate or equivalent; and
- (2) be able to prove to have attended a radar operator course recognized by the Director.

**4. To amend existing subsection 3.4 -- Engine Operator Grade 3 Certificate**

3.4.1 To be eligible for the issue of an Engine Operator Grade 3 Certificate an applicant must:-

- (1) be at least 18 years of age;
- (2) ~~be able to prove to have either~~ provide the Declaration Form for Service Onboard Local Vessel in order to verify to meet any one of the following requirements:-
  - (a) (i) a minimum of 1 year of service in any deck or engineering capacity in any mechanized vessel other than pleasure vessels; or  
(ii) the sea service requirement be reduced to 9 months if the applicant has satisfactorily completed a maritime course recognized by the Director; or

- (b)
  - (i) two years' service on pleasure vessels whilst holding any type of pleasure vessel certificate; or
  - (ii) the sea service requirement be reduced to 18 months if the applicant has satisfactorily completed a maritime course recognized by the Director; or
- (c) served a recognized apprenticeship as a fitter or as a mechanic for remission of all or part of the service; and
- (3) pass the Engine Operator Grade 3 Examination described in paragraph 6.4 and paragraph 7.3 of these Rules.

3.4.2 Notwithstanding the requirements stipulated in paragraph 3.4.1(2)(a) to (c), an applicant is eligible to apply for the examination any time prior to fulfilling the sea service requirement or commencing the maritime preparatory course. However, in order to attain the Engine Operator Grade 3 Certificate, he/she ought to have fulfilled sea service requirement and have passed the examination.

3.4.23 An applicant will also be eligible for the issue of an Engine Operator Grade 3 Certificate if he meets the age requirement specified in paragraph 3.4.1(1) and holds the following certificates:-

- (1) ~~holds~~ a Local Certificate of Competency as Engineer (up to 150 BHP) issued under the provisions of the Shipping and Port Control Ordinance, Cap. 313; or
- (2) ~~holds~~ a Fishing Vessel Engineer Certificate (without restriction or condition) issued under the provisions of the Shipping and Port Control Ordinance, Cap. 313.

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