

## **LOCAL VESSELS ADVISORY COMMITTEE**

### **The Effect on Local Vessels due to the Commencement of Merchant Shipping (Safety) (Amendment) Ordinance 2009**

#### **Purpose**

The Merchant Shipping (Safety) (Amendment) Ordinance 2009 (“Amendment Ordinance”) will come into force within Q3 2002. Since the Amendment Ordinance will make amendments to the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap. 548G), this paper aims to explain the effect on local vessels upon the implementation of this Amendment Ordinance.

#### **Background**

2. The Amendment Ordinance aims to enable the timely implementation of international conventions related to marine safety by referring directly to the relevant provisions. Arising from consequential amendments, the Amendment Ordinance will amend the definition of “Accepted Convention Certificate” under Cap. 548, and the definitions of 《Load Lines Convention》 and 《SOLAS Convention》 under Cap. 548G. Details of these amendments are listed in the Annex for reference.

#### **Effect on Local Vessels due to the Amendment Ordinance**

3. The amendments to the definitions of “Accepted Convention Certificate” and 《SOLAS Convention》 provide direct reference of local legislation to the latest version of the 《International Convention for the Safety of Life at Sea》 (“Safety Convention”) and all its relevant amendments. Since the requirements on safety construction and equipment of local vessels under Cap. 548G are independent of the Safety Convention, the Amendment Ordinance has no material effect on local vessels.

4. The amendment made by the Amendment Ordinance for the definition of 《Load Lines Convention》 has no effect on the existing practice exercised by the Marine Department (MD) as the existing definition of 《Load Lines Convention》 under Cap. 548G has already made direct reference to the 《International Convention on Load Lines》 and all its relevant amendments. Since the requirements of the 《Load Lines Convention》 are in principle to safeguard the safety of seagoing vessels which may not be entirely applicable to local vessels, MD by taking the paramount principle of ship safety is compiling a list of local vessels that could be exempted from complying with certain requirements of the 《Load Lines Convention》 and will issue exemption certificates to those vessels on the list upon the implementation of the Amendment Ordinance.

### **Conclusion**

5. The implementation of the Amendment Ordinance has no material effect on local vessels and that MD will not impose any additional requirements. For members' information, please.

Local Vessels Safety Section  
Marine Department  
March 2022

**Comparison of the existing and amended provisions  
under Cap. 548 and Cap. 548G**

Item	Existing Provision	Provision under Amendment Ordinance
<p><b>Cap. 548, Section 2</b></p> <p><b>“Accepted Convention Certificate”</b></p> <p>“獲認可的公約 證明書”</p>	<p>a certificate in the form prescribed by the International Convention for the Safety of Life at Sea, 1974 as amended from time to time;</p>	<p>a certificate in the form prescribed by the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;</p>
<p><b>Cap. 548G, Section 2</b></p> <p><b>《Load Lines Convention》</b></p> <p>《載重線公約》</p>	<p>(a) the International Convention on Load Lines (including its annexes) which constitutes Attachment 1 to the Final Act of the International Conference on Load Lines signed in London on 5 April 1966;</p> <p>(b) the Protocol of 1988 (including its annexes) relating to the International Convention on Load Lines adopted by the International Conference on the Harmonized System of Survey and Certification in London on 11 November 1988; and</p> <p>(c) any amendment to the Convention and Protocol referred to in paragraphs (a) and (b) which is specified in a Marine Department Notice;</p>	<p>the International Convention on Load Lines signed in London on 5 April 1966, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;</p>

<p><b>Cap. 548G, Section 2</b></p> <p><b>《SOLAS Convention》</b></p> <p>《人命安全公 約》</p>	<p>(a) the International Convention for the Safety of Life at Sea (including its annexes) signed in London on 1 November 1974;</p> <p>(b) the Protocol of 1988 (including its annexes) relating to the International Convention for the Safety of Life at Sea adopted by the International Conference on the Harmonized System of Survey and Certification in London on 11 November 1988; and</p> <p>(c) any amendment to the Convention and Protocol referred to in paragraphs (a) and (b) which is specified in a Marine Department Notice;</p>	<p>the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;</p>
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