

**Code of Practice – Safety Standard for Class IV Vessels**  
**Amendments update as at 20 November 2006**

<b>Item</b>	<b>Ch/page</b>	<b>Description</b>	<b>Remarks</b>
1.	Chapter I - Section 1.6 to 1.11 & Section 3	(a) Rearrange the section 1.6, 1.7, add section 1.8 to 1.11 and update relevant chapters and indexes number (b) Add additional definition, namely, “final inspection”, “initial survey” & “periodical survey”.	(a) Re-group the technical requirements and operational requirements (b) Additional definition to distinguish different types of survey/inspection
2.	Chapter III – Section 5	Add Annex 10 for MARPOL Annex I requirements	Specify Class IV vessels at or above 400GRT to comply with MARPOL Annex I
3.	Annex 7	Implementation of the Requirements of Annex VI of MARPOL 73/78 to Locally Licensed Vessels	In response to recent comments received from PLVAC on the revised of this Annex ( i.e. Annex VI of MARPOL 73/78 on (prevention of air pollution), further minor revision in detailed technical arrangements, in particular for NOx and oil sample matters are made.
4.	Annex 10	Installation, document and certification for prevention of oil pollution	List the technical requirements for installation, document and certification for prevention of oil pollution

**1 Introduction**

- 1.1. The legislation relating to the control, licensing and regulation of local vessels possessed or used for pleasure purposes in Hong Kong (i.e. ‘Class IV vessels’) is contained in the Merchant Shipping (Local Vessels) Ordinance, Cap. 548, and its subsidiary legislation. This Code of Practice is issued under section 8 of the Ordinance.
- 1.2 This “Code of Practice – Safety Standards for Class IV vessels” has been developed by the Hong Kong Marine Department in consultation with the local maritime industry through representation in relevant working groups and committees. The primary aim in developing the Code has been to set standards of safety and protection for all passengers and crew on board. The Code relates especially to the construction of a vessel, its machinery, equipment and stability and to the correct operation of the vessel so that safety standards are maintained.
- 1.3 This Code has been developed for application to Class IV (pleasure vessels) in the waters of Hong Kong, including vessels which are engaged in pleasure purposes under the terms of a written charter agreement or a written hire-purchase agreement.
- 1.4 The requirements in some of the paragraphs of this Code are provisions of the indicated relevant regulations, which are mandatory.
- 1.5 The builder, repairer or owner/managing agent of a vessel, as appropriate should take all reasonable measures to ensure that a material or appliance fitted in accordance with the requirements of the Code is suitable for the purpose intended having regard to its location in the vessel, the area of operation and the weather conditions which may be encountered.
- 1.6 The owner, ~~or~~ agent or the coxswain of a Class IV vessel is required to observe and comply with relevant requirements relating to vessel’s safe operation safety, and operators requirements and their certification specified in the Merchant Shipping (Local Vessels)(Safety and Survey) Regulation (the “Survey Regulation”), Merchant Shipping (Local Vessels) (General) Regulation (“General Regulation”) and Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (“Certification & Licensing Regulation”) relevant to the class of the vessel, in addition to the practical guidance requirements given in the following chapters and annexes of this Code where relevant and appropriate:-

Item No.	Chapter / Annex of this Code	Section of Relevant Regulation
(a)	Para. 6 of Ch. I, Ch. IX	Section 46 under <del>Merchant Shipping (Local Vessels) (Certification &amp; Licensing) Regulation</del>
(b)	Para. 8 of Ch. I	Section 31 on “Construction and maintenance of local vessels” under <del>Merchant Shipping (Local Vessels)(Safety and Survey) Regulation</del>
(c)	Para. 12 of Chapter I, II, Annex 3	Section 30 on “Certificate of Survey” and “Certificate of Inspection” under <del>Merchant Shipping (Local Vessels)(Safety and Survey) Regulation</del>

(d)	Para. 3 of Chapter IV	Section 33 “Notice stating maximum number of passenger to be posted” under <del>Merchant Shipping (Local Vessels) (General) Regulation</del>
(e)	<del>Para. 5 of Chapter III</del>	<del>Merchant Shipping (Prevention of Oil Pollution) Regulations, Cap. 413 Sub. leg.</del>
(fe)	Para. 3.15 of Chapter III	Section 31 on “Construction and maintenance of local vessels”

1.7 ~~According to the instruction of the paragraph 12 of this chapter and~~ In order to satisfy the requirements specified in the ~~Merchant Shipping (Local Vessels) (Safety and Survey) Regulation~~ for the issuance of Certificate of Survey or Certificate of Inspection relevant to the class of the vessel, the safety and technical standards given in the following chapters and annexes of this Code are to be complied with additionally where relevant and appropriate: -

Item No.	Chapter/ Annex (Notes 1)	Section of <del>the Merchant Shipping (Local Vessels) (Safety and Survey)</del> Regulation
(a)	I and II	Section 7 to 30 “Certificate of Survey” and “Certificate of Inspection”
(b)	III, IIIA, IV and VIII	Section 31 on “Construction and maintenance of local vessels”
(c)	IV	Section 68 to 74 on “Carriage of Passenger”
(d)	VI	Section 32 on “Provision of Life-saving appliances on board <del>the of</del> local vessels” Schedule 3 “Provision of life-saving appliances”
(e)	V	Section 33 on “Fire prevention measures and provision of fire-fighting apparatus on board the local vessels” Schedule 4 <del>5</del> “Fire Protection and provision of fire-fighting appliances”
(f)	<del>Para. 3.13 of III</del>	<del>Section 82 &amp; Schedule 7 – local vessels required to comply with requirements of Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg. A)</del>
(g)	<del>Annex 8</del>	<del>Section 9(1)(b) – tonnage measurements and calculations</del>
Note: (1) Relevant safety standards given in the Annexes of this Code are to be complied with additionally where relevant and appropriate in conjunction with the above .		

1.8 The owner or agent or the coxswain of a Class IV vessel is required to observe and comply with relevant requirements relating to vessel operator requirements specified the following chapters and annexes of this Code:-

Item No.	Chapter & Annex of this Code	Section of Relevant Regulation
(a)	Para. 6 of Ch. I, Ch. IX	Section 46 under <del>Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation</del>
(b)	VII	Section 18 (2) (a) (ix) of Survey Reg – as regards Merchant Shipping (Safety) (Use of Signal of Distress) Regulation requirements
(c)	VIII	Section 31 on “Construction and maintenance of local vessels” under Survey Regulation
(d)	<del>Annex 7</del>	<del>Subject to enactment and enforcement of Merchant Shipping (Prevention of Air Pollution) Regulation, Cap 413 Sub leg.</del>

1.9 In order to satisfy the requirements specified in Survey Regulation on tonnage measurement and calculation for the issuance of Survey Record of Tonnage Measurement relevant to the class of the vessel, the standards given in the following chapter of this Code are to be complied with where relevant and appropriate:-

Item No.	Chapter/Annex	Section of Survey Regulation
(a)	Annex 8	Section 9(1)(b) – tonnage measurements and calculations

1.10 In order to satisfy the requirements and conditions specified in the Survey Regulation for the issuance of Certificate of Survey or Certificate of Inspection for the vessel of 400 gross tonnage or above in respect to prevention of oil pollution, the technical standards given in the following chapters and annexes of this Code are to be complied with additionally where relevant and appropriate:-

Item No.	Chapter (Note)	Section of Survey Regulation
(a)	I and II	Section 7 to 30 “Certificate of Survey” and “Certificate of Inspection”
(b)	Para. 3.13, Para. 5.1 (a) of Chapter III and Annex 10	Section 9(1)(n) – prevention and control of pollution Section 82 & Schedule 7 – local vessels required to comply with requirements of Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413 sub. leg. A)
Note: The Hong Kong Oil Pollution Prevention Certificate is required to be issued to vessels of 400 gross tonnage or above after confirming the compliance with Merchant Shipping (Prevention of Oil Pollution) Regulations, Cap. 413 sub. Leg.		

1.11 In order to satisfy the requirements and conditions specified in the Survey Regulation for the issuance of Certificate of Survey or Certificate of Inspection for the vessel in respect to the prevention of air pollution, the technical standards given in the following chapters and annexes of this Code are to be complied with additionally as appropriate:-

Item No.	Chapter/Annex	Section of Survey Regulation
(a)	Ch. I and Ch. II	Section 7 to 30 “Certificate of Survey” and “Certificate of Inspection”
(b)	Para. 5.1 (b) of Chapter III and Annex 7 - For the compliance of the requirements of the Merchant Shipping (Prevention of Air Pollution) Regulation, Cap. 413 sub-leg.(Note 1)	Section 9(1)(n) – prevention and control of pollution

Note 1 : Subject to enactment and enforcement of Merchant Shipping (Prevention of Air Pollution) Regulations, Cap 413 Sub-leg., which is expected ready in 2007.

## 2 Statutory Regulations

2.1 This Code should be ~~read~~ applied in conjunction with the following statutory provisions and their amendments (if any) as appropriate:

- (a) Merchant Shipping (Local Vessels) Ordinance, Cap. 548 (hereafter referred to as “the Ordinance”)
- (b) Merchant Shipping (Local Vessels) (General) Regulation, Cap. 548 Sub. leg.
- (c) Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation, Cap. 548 Sub. leg.
- (d) Merchant Shipping (Local Vessels)(Local Certificates of Competency)
- (e) Merchant Shipping (Local Vessels) (Safety and Survey) Regulation, Cap. 548 Sub. leg. (hereafter to be referred as "Safety Survey Regulation")
- (f) Merchant Shipping (Local Vessels)(Compulsory Third Party Risks Insurance) Regulation, Cap. 548 Sub. leg.
- (g) Merchant Shipping (Prevention of Oil Pollution) Regulations, Cap. 413 Sub. leg .
- (h) Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations, Cap. 369 Sub. leg.
- (i) Merchant Shipping (Local Vessels) (Fees) Regulation, Cap. 548 Sub. Leg.
- ~~(i) Merchant Shipping (Local Vessels)(Compulsory Third Party Risks Insurance) Regulation, Cap. 548 Sub. Leg.~~
- (j) Merchant Shipping (Local Vessels)(Typhoon Shelters) Regulation, Cap. 548 Sub. leg.
- (k) Merchant Shipping (Prevention of Air Pollution) Regulation, Cap. 413 Sub-leg. [subject to enactment and enforcement date of the relevant legislation].

## 2.2 Other standards

- (1) The relevant requirements or guidelines promulgated by Marine Department, unless otherwise clearly specified are not mandatory.
- (2) The vessel’s strength, structure, arrangements, materials, scantlings, main and auxiliary machinery, boilers and pressure vessels, electrical installations, etc. should be so designed and installed as to ensure that the vessel is fit for the service for which it is intended. Apart from the requirements in this Code, present rules and standards of classification societies recognized by Marine Department or other equivalent standards should be used as assessment standards.

## 2.3 Certificates or records

2.3.1 Upon satisfactory completion of statutory surveys or assessment, the following certificates or record document (1), (3) and (4) ~~would~~ may either be issued by authorized surveyor or Marine Department. Certificates (2), (5), (6) and (7) ~~may~~ should be issued by Marine Department if as necessary: -

- (1) Certificate of Inspection;
- (2) Certificate of Survey;
- (3) Survey Record of Tonnage Measurement ;
- (4) Survey Record of Inspection for certain Equipment or Tests etc.; (if

applicable)

- (5) Exemption Certificate / Permit for alternative material, fitting or equipment (if applicable);
- (6) Hong Kong Oil Pollution Prevention Certificate; (if Gross Tonnage >400)
- (7) Hong Kong Air Pollution Prevention Certificate. (if Gross Tonnage >400)#

Note : # Subject to enactment and enforcement date of the relevant legislation.

2.3.2 Requirements for the issue of Certificate of Survey for Class IV pleasure vessels that are licensed to carry more than 60 passengers are to be refer to the “Code of Practice – Safety Standards for Class I, II & III vessels”

2.3.3 The certificates of the above items 2.3.1(3), (6) and (7) that issued in accordance with the International Conventions by a recognized classification societies may be considered as equivalent and accepted by the Director.

### 3 Definitions

“approved”, in relation to equipment, appliances, machinery, any fittings or materials, means approved by the Director;

“authorized surveyor” means a person, or a person belonging to a class of persons, who is not a public officer, appointed by the Director under section 7(1) of the Ordinance to be a surveyor for the purposes of the Ordinance<sup>1</sup> and noticed in the Marine Department Notice from time to time;

“carrying xx passengers” means vessel’s permissible number of passengers that can be carried through out the text of this Code.”

“certificate of ownership” means a certificate of ownership issued or endorsed by the Director under section 10, 23 or 26 the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation;

“Class I vessel” means any vessel permitted to carry more than 12 passengers, other than a Class IV vessel, licensed under Part IV of the Ordinance;

“Class IV vessel” means any pleasure vessel licensed under Part IV of the Ordinance;

“Code” means this Code;

“classification societies” means the classification societies recognised by the Director, which are as follows:

- (a) American Bureau of Shipping (ABS);
- (b) Bureau Veritas (BV);
- (c) China Classification Society (CCS);
- (d) Det Norske Veritas (DNV);
- (e) Germanischer Lloyd (GL);
- (f) Korean Register of Shipping (KR);
- (g) Lloyd’s Register of Shipping (LR);
- (h) Nippon Kaiji Kyokai (NK); and
- (i) Registro Italiano Navale (RINA)

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<sup>1</sup> May include any person of the following classes, subject to formal authorization having been issued by the Director:

- (i) Registered Professional Engineer (Marine and Naval Architecture);
- (ii) classification societies;

“coxswain” means the person having for the time being the charge or command of the vessel; but where there is no such person or the vessel is in the charge or command of a person under the age of 16, it means the person whose name appears in the vessel’s Certificate of Ownership;

“crew” means the coxswain and any other person employed for, or engaged in, any capacity on board a vessel on the business of that vessel;

“Director” means the Director of Marine;

“engine room” means a space of any vessel, which contains propulsion machinery and/or generators;

“existing vessel” means a vessel which is not a new vessel;

“favourable weather” means weather, when the visibility is good and when the combined effects of wind, sea or swell upon the ship under consideration are never greater than those which would cause moderate rolling or pitching, or result in a large amount of sea splash comes to the weather deck or, in the case of open boats, over the gunwale of a vessel”;

“final inspection” means the last or final visit for the purpose of survey or inspection, usually carried out on safety equipment items and functional trials in an initial survey or a periodical survey for a vessel;

“length overall (LOA)”, in relation to a Class IV vessel, means the distance between the foreside of the foremost fixed permanent structure and the aft side of the aftermost fixed permanent structure of the vessel;

“extreme breadth”, in relation to a local vessel, means the athwartship distance between the extremity of the outermost permanent structure on the port side and extremity of the outermost permanent structure on the starboard side of the vessel;

“gross tonnage”, a measurement figure for a Class IV vessel of which the details and calculation can be referred to Chapter IX of the “Code of Practice – Safety Standards for Class I, II and III Vessels”;

“initial survey” in connection with anyone of the certificates mentioned in s.7(1) of Survey Regulation means the survey (including its final inspection) to be completed for a new vessel for the first issue of the concerned certificate;

“new vessel” means –

- (a) a local vessel –
  - (i) that has never been licensed under Part IV of the Shipping and Port Control Ordinance (Cap. 313) before the commencement of Survey Regulation; and
  - (ii) in respect of which an application for an operating licence is made for the

first time on or after the commencement date of Survey Regulation, but does not include a vessel the keel of which is laid, or which is at a similar stage of construction, within 12 months immediately before that date and is still under construction on that date;

(b) a local vessel that does not fall within paragraph (a) and undergoes, on or after the commencement date of Survey Regulation, alteration –

(i) of –

(A) its length, breadth or depth as recorded in the certificate of ownership issued or endorsed under the Certification and Licensing Regulation;

(B) the output of its main propulsion engine so that –

(I) the output is increased by 10% or more than what is recorded in its certificate of inspection or certificate of survey; or

(II) particulars relating to the materials, scantlings or design of the propulsion shafting or stern tube, as shown in the plans approved under Part 3 of Survey Regulation, are no longer accurate; or

(C) its passenger capacity so that it increases from not more than 60 to more than 60, or from not more than 100 to more than 100; or

(ii) to an extent that it is no longer suitable –

(A) to remain certificated for the particular class or type that it is certificated for under the Certification and Licensing Regulation; or

(B) to be categorized as a Category A vessel or a Category B vessel;

"local vessel" means- *[same as the relevant definition in MS(LV) Ordinance and quote from the key point of Class IV vessel as follow]*

(i) any vessel used solely within the waters of Hong Kong, whether registered under the Merchant Shipping (Registration) Ordinance (Cap 415) or in a place outside Hong Kong;

(ii) any vessel possessed or used for pleasure purposes in the waters of Hong Kong;

“owner” , in relation to a local vessel, means-

(a) the person or persons named in the vessel's certificate of ownership as the owner of the vessel; or

(b) in the absence of such a certificate, the person or persons owning the vessel;



“Ordinance” or “LVO” (《商船(本地船隻)條例》或《條例》) means the Merchant Shipping (Local Vessels) Ordinance (Cap 548).

“passenger” means any person carried in a vessel other than: -

- (a) a member of the crew;
- (b) a child under 1 year of age;

“periodical survey” in connection with anyone of the certificates mentioned in s.7(1) of Survey Regulation means the survey (including its final inspection) to be completed for an existing vessel for the renewal survey, annual endorsement survey or intermediate survey issue of the concerned certificate;

“Recognized Authority” (獲承認的當局) means a government authority recognized under section 7A of the Ordinance;

“pleasure vessel” means any launch, yacht, inflatable vessel, junk, lorcha or other vessel that: -

- (a) has an engine installed in it or carried on it, or is designed to have an engine installed in it or carried on it, whereby the vessel may be propelled by mechanical means;
- (b) is possessed or used exclusively for pleasure purposes; and
- (c) is not let for hire or reward other than under the terms of a charter agreement or hire-purchase agreement (hereafter referred in this Code as ‘engaged in chartering’),

but does not include any launch, yacht, inflatable vessel, junk, lorcha or other vessel that has never been launched in the waters of Hong Kong;

“pleasure vessel operator”, in relation to a Class IV vessel, means a person who is in charge of the vessel;

“Survey Regulation” or “Survey Reg” (《檢驗規例》) means the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap 548);

“waters of Hong Kong” means waters of Hong Kong within the meaning of Schedule 2 of the Interpretation and General Clauses Ordinance (Cap. 1).

- 4.13 A lightning conductor is recommended to be fitted for a vessel whose hull or mast is constructed of nonconductive materials. The lightning conductor may be connected to a copper plate fixed to the vessel's hull below the light waterline. The requirement is applicable to only non-metallic hull vessels.

## **5. Pollution Prevention**

- 5.1 Owners and agents are required to comply with the requirements relevant to the prevention of marine pollution at sea as follows : -

- (a) the being enforced MARPOL Annex I applicable to any pleasure vessel exceeding 400 gross tonnage (Refers to Annex 10); and
- (b) the requirements of MARPOL Annex VI which is effective on 19 May 2005, applicable to any pleasure vessel (Refers to Annex 7).

## **6 Other Installations and Equipment**

- 6.1 At least one anchor of adequate weight is to be installed with anchor chain of adequate size, length and strength for its intended purpose. Where ropes are used instead of chain cables, the ropes sizes and strength should be equivalent to that of chain cable. Except for manual operating type, suitable cable and anchor recovery arrangement or windlass is recommended.
- 6.2 A repair tool kit for main and auxiliary engines is to be carried.

## **Implementation of the Requirements of Annex VI of MARPOL 73/78 to Locally Licensed Vessels**

Annex VI of MARPOL 73/78 for the Prevention of Air Pollution from Ships together with the requirement for diesel engines with Engine International Air Pollution Prevention Certificate (EIAPP) came into force internationally on 19 May 2005. The following relevant requirements will be applied to all locally licensed vessels when the above Annex of the conventions are enforced.

2. The Requirements of Annex VI of MARPOL 73/78 contains wide-ranging regulations covering the following areas:

- (a) Prohibition of the use or release of ozone depleting substances - As per Regulation 12 of Annex VI, deliberate emission of ozone depleting substances including halons and chlorofluorocarbons (CFCs) will be prohibited. Also, new installations containing ozone-depleting substances will be prohibited on all ships. However, new installations containing hydro-chlorofluorocarbons (HCFCs) may be allowed until 1 January 2020.
- (b) Nitrogen oxide (NO<sub>x</sub>) emission from diesel engines as per Regulation 13 of Annex VI (refers to requirements of NO<sub>x</sub> emission limits in paragraph 5).
- (c) Sulphur oxide (SO<sub>x</sub>) emissions from ships - As per Regulation 14 of Annex VI, a global cap of 4.5% m/m on the sulphur content of fuel oil used on board ships together with limitation of sulphur oxide emissions from ship exhausts will be imposed.

There will be designated “SO<sub>x</sub> Emission Control Areas” that may impose more stringent sulphur oxide emission controls. In these areas, the sulphur content of fuel oil used onboard ships must not exceed 1.5% m/m, unless the ship is fitted with an exhaust gas cleaning system (or by using other technological methods) to limit its SO<sub>x</sub> emission.

- (d) Volatile organic compounds (VOCs) emission from cargo tanks of oil tankers during loading may be subject to controls from Administration as per Regulation 15 of Annex VI. Should such control requirement is notified by an Administration to IMO, there is a three years grace period from the effective date.
- (e) Shipboard incineration of waste as per Regulation 16 of Annex VI.
- (f) Fuel oil quality - As per Regulation 18 of Annex VI, fuel oil quality that will be allowed to be used onboard ships requires that:
  - (i) fuel oil used onboard ships for combustion purposes must comply with the quality standards required by Annex VI;
  - (ii) all ships of 400 gross tonnage or above are to record details of the fuel oil used on board, by means of a bunker delivery note. The bunker delivery note must include the information given in Appendix VI of Annex VI; and the bunker

delivery note must also contain a declaration signed and certified by the fuel oil supplier's representative to confirm that the fuel oil supplied is in conformity with Annex VI requirements. The bunker delivery note is to be kept on board for ready inspections, and it should be kept for 3 years after the fuel oil has been delivered on board; and

- (iii) a representative sample of the fuel oil delivered on board is required to accompany the bunker delivery note; which is to be sealed and signed by the supplier's representative as well as by the master or officer in charge of the bunker operation, and should be kept by the ship for a period of 12 months or until the fuel oil is consumed, whichever is of the latter.

### **Application MARPOL Annex VI requirements to Local Vessels**

3. For local vessels, it has been decided that –

- (a) as regards the requirement in paragraph 2(d), since the VOCs involved is very small in Hong Kong, it is not necessary to impose VOCs emission control to ships loading in Hong Kong at this stage;
- (b) no incinerator is allowed to be installed onboard for the requirement mentioned in paragraph 2 (e); and
- (c) for the requirements mentioned in paragraph 2 (f) such as fuel oil sampling device, keeping of bunker delivery notes and samples -
- (i) for vessels of less than 400 gross tonnage
- if the vessel trading only in local waters is using only marine diesel fuel (sulphur contents not more than 0.5% m/m), and solely supplied by local registered fuel oil suppliers <sup>(Note)</sup>, keeping documentary evidence of bunker delivery notes onboard ready for inspection is suffice for the compliance of regulation 18 of the Annex.
  - For vessels other than the above, control measures on bunker delivery notes and fuel oil samples would be same as those specified in para (3)(c)(ii).
- (ii) for vessels of 400 gross tonnage or above
- if the vessel is using fuel solely supplied by from registered fuel oil suppliers <sup>(Note)</sup>, only bunker delivery notes are required to be maintained on board ready for inspection.
  - oil samples in addition to bunker delivery notes are required for the vessel if the fuel oil is not supplied by the local registered fuel oil suppliers or registered fuel oil suppliers outside Hong Kong.

Note: Vessel operators may voluntarily keep fuel oil samples on board for a reasonable period in order to protect their interests in case of a dispute.

- (d) Per para (3)(c)(ii), bunker delivery notes should be retained for 3 years and fuel oil samples are to be kept 1 year or until the fuel oil has been subsequently consumed; and they should be readily available for inspection.

4. The application control measures on air pollution prevention to vessels under Annex VI of MARPOL 73/78 applied to local vessels, which are operated in river trade limits or Hong Kong waters (non international voyages), are as follows:
- (a) For self-propelled vessels of 400 gross tonnage and above  
Surveys and inspections on these vessels should be in accordance with Regulation 5 of Annex VI. Upon satisfactory completion of the survey, a Hong Kong Air Pollution Prevention (HKAPP) Certificate is to be issued or endorsed as appropriate.
  - (b) For self-propelled vessels of less than 400 gross tonnage and non-self-propelled vessels of any tonnage  
A Hong Kong Air Pollution Prevention Certificate (HKAPP Cert) is **not required**. However, an effective visual inspection will be carried out to ensure no unauthorized modifications or installation of equipment in compliance with Annex VI during the initial/annual/periodic safety survey of the vessel for the issuance of the Certificate of Survey or Certificate of Inspection (with inspection record) to indicate its compliance with MARPOL Annex VI.

#### **Application of the NO<sub>x</sub> emission requirements to Local Vessels**

5. The requirements relating to the control of Nitrogen oxide (NO<sub>x</sub>) emission from diesel engines fitted onboard vessels are prescribed under Reg. 13 of the Annex, of which the control NO<sub>x</sub> limits are summarized as follows:

	Rated Engine Speed (rpm) (n)	Maximum allowable NO <sub>x</sub> -emissions (g/kWh)
a.	n < 130	17
b.	130 ≤ n < 2000	45n <sup>-0.2</sup>
c.	n ≥ 2000	9.8

6. Subsequent to 19 May 2005, all diesel engines of more than 130 kW power output installed on board a local vessel constructed / licensed or a vessel has undergone a major conversion as defined under Regulation 13(2) (a) of the Annex after that date must subject to NO<sub>x</sub> emission control. Shipowners and operators should ensure that these engines could meet the relevant requirements.
7. The NO<sub>x</sub> requirements for engine emission do not apply to emergency generator engines, lifeboat engines and any engine installation intended to be used solely for emergency purpose.
8. (a) A diesel engine of more than 130 kW power output installed on board a local vessel of 400 gross tonnage and above is required to be certified for full compliance with the provisions of Regulation 13 and the NO<sub>x</sub> Technical Code by an EIAPP certificate together with a Technical File containing record of information as stipulated in paragraph 2.4 of the Technical Code.

- (b) A diesel engine more than 130 kW power output installed on board a local vessel of less than 400 gross tonnage, should be certified by an EIAPP certificate or a certificate (with similar format as EIAPP) issued by the engine maker or authorized surveyor or recognized organization showing that it is in compliance with Regulation 13 and the NOx Technical Code or similar standard acceptable to the Director.
9. When the local legislation (Cap. 413 sub-leg.) comes into force, the engines mentioned in paragraph 6 above will be inspected to confirm their compliance with the NOx requirements of the Annex. All engines are expected to be certified either by the engine manufacturers, authorized surveyors or recognized organizations, as appropriate, for its compliance with the relevant Nox requirements.

### **Periodic Inspection of Engines**

10. The Nox Technical Code allows different on-board verification procedures. Owners may adopt one of the following procedures for periodic inspection:
- (a) engine parameter check method as per Code procedure 6.2 – on board inspections including verification of the engine parameters, critical components, settings and operating data against the engine certificate and Technical File; or
  - (b) simplified measurement method – actual trial run and test run like the engine parent test in the test bed but in a simplified manner as described in the Code procedure 6.3 by verifying against the information in the engine certificate and Technical File, or similar procedures approved or accepted by the Director; or
  - (c) direct measurement and monitoring method in accordance with paragraph 2.3.4, 2.3.5, 2.3.7, 2.3.8, 2.3.11, 2.4.4, and 5.5 of the Code.
11. All diesel engines of more than 130 kW power output will be periodically inspected during the safety certification survey of a local vessel to ensure that they are in compliance with the relevant Nox emission criteria.

### **Implementation schedules**

12. The implementation schedules of the relevant Annex VI requirement as indicated in above paragraph 2 and the application measures in paragraph 4 are as follows<sup>(see remarks)</sup>:
- (a) vessels constructed / licensed on or after 19 May 2005 shall comply.
  - (b) vessels constructed/ licensed before 19 May 2005 are required to comply no later than their first scheduled docking after 19 May 2005, but in no case later than three years, i.e. 19 May 2008, whichever is earlier.
  - (c) vessels installed with diesel engines as mentioned in the above paragraph 6 are required to comply on or after 19 May 2005.

Remarks : (1) The aforementioned requirements will be finalized in the relevant legislation in consultation with relevant Policy Bureaux and Department of Justice.

(2) When the local legislation on Annex VI requirement comes into force, which is expected to be in 2007, all local vessels will be mandatory inspected to ensure its compliance. Before that commencement date, owners of local vessels are urged for voluntary compliance of the Annex for the issue of a Certificate of Compliance (with inspection records) or Record of Inspection as appropriate.

## Annex 10

**Installation, Document and Certification for Prevention of Oil Pollution**

1.1 The installation, documentation and certification required on board, and information required to submit for approval are detailed in the following table:

Type of Vessel	Pleasure Vessel
Gross Tonnage (GT)	GT≥400
Required Installation, Documentation and Certification	(a),(b),(c),(d),(e)
Information to be submitted	(f),(g), (h)

## Legend

- (a) An approved type oily water separator designed to produce effluent not more than 15 ppm of oil.
- (b) Tank (sludge tank) for oil residue in engine room.
- (c) Standard discharge connection.
- (d) **For Class IV vessels ≥400 GT,** Hong Kong Oil Pollution Prevention Certificate and Supplement issued/endorsed by the Director or International Oil Pollution Prevention Certificate and Supplement issued/ endorsed by a recognized classification society.
- (e) Oil record book (Part I and Part II); Pleasure vessels require Part I.
- (f) Installation plans for oily-water separator consist of:
  - (i) piping arrangements, and
  - (ii) wiring diagram of electrical installation.
- (g) Sludge tank and discharge arrangement plans include:
  - (i) construction, size and location of sludge tank; and
  - (ii) piping diagram of sludge tank from machinery spaces to reception facility via standard discharge connection.
- (h) Shipboard oil pollution emergency plan.