

PROVISIONAL LOCAL VESSELS ADVISORY COMMITTEE

Proposed Amendments to The Freight Container (Safety) Ordinance, Cap. 506 and its Sub-legislation

Purpose

1. The purpose of this paper is to seek Members' views on the proposal to amend the Freight Container (Safety) Ordinance, Cap. 506 and its sub-legislation.

Background

2. The CSC was adopted by the International Maritime Organization in 1972 to standardize the requirements for testing, inspection and approval of containers, and to prescribe procedures for their maintenance, examination and control so as to ensure safety in their handling, stacking and transportation. The CSC and its amendments adopted in 1981, 1983 and 1991 are already in force internationally.
3. The Freight Container (Safety) Ordinance, Cap. 506 and its four sub-legislation were enacted respectively in 1997 and 2001 for the purpose to give effect to the provisions of the CSC and its amendments. Although the formalities to extend the CSC to Hong Kong were completed in 1997, the commencement of the legislation has not yet been effected due to a number of outstanding issues.

Proposed Legislative Amendments

4. In order to put the legislation into operation to fully discharge Hong Kong's obligations under the CSC, the following legislative amendments to the Ordinance and its sub-legislation are proposed:
 - (a) deletion of the provisions relating to restriction of place of manufacture of containers as such provisions contradict with the relevant provisions in the CSC;
 - (b) revision of the relevant provisions to appoint authorized persons as the sole

approving authority to approve containers; and

- (c) addition of new provisions, (e.g removal of safety approval plate from containers under certain conditions etc) to implement the 1983 and 1993 amendments to the CSC.

Advice Sought

- 5. Members are invited to offer advice on the proposed legislative amendments.

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