

PROVISIONAL LOCAL VESSELS ADVISORY COMMITTEE

Arrangement Details for Delegation of Survey of Local Vessels under Merchant Shipping (Local Vessels) Ordinance

Purpose

1. This paper proposes the arrangement details for delegation of survey work of low risk locally licensed vessels to individual person or a person belonging to a class of persons authorized by the Director other than public officers under the new Local Vessels Ordinance (“LVO”) and to seek members’ comments/ views and endorsement. The details of arrangement through authorization of surveyors / organizations and recognition of authorities are elaborated in the paper.
2. The proposed document and the attachments are for the purpose to facilitate the understanding and arrangement on delegation of survey of local vessels by providing practical and transparent requirements, procedures and guidance etc. to the concerned persons and bodies interested and involved in survey work as well as owners of local vessels.

Background

3. This Committee had recommended and agreed the delegation of all safety survey work of low risk local vessels to recognized classification societies (CS) in 1992. The Committee further endorsed the extension of the authorized person scheme to registered professional engineers (Marine & Naval Architecture) (RPE-MNA) and relevant Mainland inspection authorities (termed as Recognized Authorities (RA)) in previous meetings subject to proposal of arrangement details. CS is termed as Authorized Organization (AO) in the authorization document. These background information can be referred to PLVAC paper no. 3/92, 10/2000, 8/2002, 6/2004 and 9/2004.
4. A Working Group (WG) on RPE issue was set up in 2001 to study the details and inclusion of the Registered Professional Engineer (Marine & Naval Architecture) as Authorized Surveyor (AS) and to discuss and work out details on the authorization and monitoring arrangement. Concerned details were discussed in the WG meetings and made revisions till the 9th draft in November 2004. As the item on “Liability/ Indemnity” expressed in

paragraph 10(d) is pending for further review and decision, the submitted 10th draft document has left out that item.

5. Consultation or exchange meetings were held between Marine Department (MD) and AO and with RA since 2002 on the issue of the delegation of survey relating to authorization / recognition arrangement and guidelines etc. document. The draft document for AO has been revised for the 5th time in Nov. 2004. The submitted 6th draft has left out that item as referred in paragraph 10(d).
6. In fact, the bulk contents of the draft documents mentioned above were completed in mid 2003 and pending for legal comment /advice. Legal comments are not forthcoming until recently due to the late schedule of the drafting of the safety survey regulation (SSR).
7. In early 2004, the Committee endorsed a proposed programme and brief scope of delegation of survey of local vessels in PLVAC 6/ 2004 for implementation in four phases within about three years upon the enforcement of the LVO. A quality assurance system was also proposed that MD would implement measures as outlined in order to ensure effective monitoring and quality of the delegated survey works performed by AS/AO/RA are maintained.

Licensing and Survey Legislation

8. The licensing and survey requirements for different classes and types of local vessels are mainly stipulated in various regulations under the new Merchant Shipping (Local Vessels) Ordinance (LVO). Most of the essential of requirements are stipulated in Merchant Shipping (Local Vessels) (Safety Survey) Regulation and Merchant Shipping (Local Vessels) (Licensing and Certification) Regulation and Codes of Practice issued under LVO.

Arrangement Details on Delegation of Survey

9. Guiding Principles
According to provision 7 of LVO and the guiding principles given in PLVAC paper no. 10/2000 and 6/2004, the authorization of surveyors of their suitability covers consideration on their qualification/ discipline, training, experience, skills and knowledge etc. that are relevant to the works and duties of an Authorized Surveyor. The procedures and criteria for the authorization AS/AO and monitoring etc. are set out in relevant authorization / guiding documents in the Attachments. About same approach is also applied to the aspect of RA.

10. Application Requirements and Monitoring

A document on “Authorization of Surveyors for Survey of Local Vessels – (Application Requirements and Monitoring)” is in Attachment-1. The document indicates the essential information on qualification, experience, application requirements and monitoring outlines etc. as information to public and professionals for application usage.

11. Conditions of Authorization

(a) Based on the information submitted from applicants which will be vetted by an Assessment Panel of MD for that purpose, should the submitted documentary evidence have fulfilled the requirements, the Director will issue a “Letter of Authorization” to the applicant together with a document of “Conditions of Authorizations” indicated below, to the applicant as appropriate.

(i) Conditions of Authorization of Surveyors for Survey of Local Vessels (for Registered Professional Engineers (Marine and Naval Architecture)) (10th Draft, Dec 2004) [Attachment-2]; or

(ii) Conditions of Authorization of Surveyors for Survey of Local Vessels (for Recognized Classification Societies)) (6th Draft, Dec 2004) [Attachment-3].

(b) The conditions cover provisions of areas on validity, scope of services, compliance of guidelines, interpretation, equivalents and exemption, information and liaison, document system/quality system and nomination of surveyors, remuneration, confidentiality, audit inspection and amendments.

(c) A document on “Guidelines for Authorized Surveyors / Organizations” is also included in the annexes of “Conditions” document giving details on survey arrangement, survey procedures and declaration formats, control monitoring and quality assurance system etc.

(d) During the consultation meetings in November 2004 on conditions of “Liability/ Indemnity”, there were diversified views and comments from members of RPE Working Group and consultation meeting with Classification Societies representatives. As there are certain practicality issues in such arrangement needed be further explored, this issue is now pending for further review and decision.

12. Recognized Authorities

The LVO allows the acceptance by Director of other Administrations to carry out survey work of local vessels. The arrangement on recognition or acceptance RA of their survey work and the monitoring and guiding documents will be in similar principle and approach as those of AS /AO explained in above, and in the format document arrangement agreed between

the HKSAR and the relevant Authorities of PRC.

13. Delegated Survey Work Scope

- (a) The associated scope of the delegated survey work of low risk local vessels to each concerned person and body of AS/ AO /RA are as follows (reference made to the survey delegation programme indicated in paragraph 6 in above) -
- (i) AO are delegated the survey work of all Class II and Class III vessels of classed and non-classed types;
 - (ii) AS-RPE are delegated the survey work of all Class II and Class III vessels of non-classed types;
 - (iii) RA are delegated the survey work of (relevant to their expertise of inspection areas and types of vessels) either -
 - (1) all Class II vessels of non-classed types (only if these vessels are in Mainland waters) ; or
 - (2) all Class III vessels of non-classed types (only if these vessels are in Mainland waters).
- (b) Upon satisfactory completion of the statutory survey of a vessel, the Authorized Surveyor/ Organization or the Recognized Organization shall submit a declaration of survey and survey reports (if required) to the Director. Certificate of Survey will be issued by Marine Department to the owner of the vessel accordingly.
- (c) In addition, AS and AO are also delegated the inspection of some types of Class IV vessels for the issue of Certificate of Inspection as specified in the relevant Code of Practice and SSR.

Consultation

14. The proposed documents had been consulted and supported by the Working Group on RPE and Classification Societies concerned apart from item as referred in paragraph 10(d).

Advice Sought

15. Members are invited to give comments/views and endorse the proposal of this paper which will be put into operation after the LVO comes into force.

*Marine Department
December 2004*

Revised Draft (Dec 2004)



Authorization of Surveyors for Survey of Local Vessels

- (Application Requirements and Monitoring)

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap. 548)

(This information document is for the public and professionals for usage in application.)

Marine Department of HKSAR
xxxx / 2005

[Note: The final draft this document shall be subject to legal vetting by Department of Justice.]

**Authorization of Surveyors for Survey of Local Vessels
- (Application Requirements and Monitoring)**
(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap. 548)

Background

1. Section 7 of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548 (hereafter to be referred as 'Ordinance'), stipulates for the authorization of surveyors as follows:-
 - (1) The Director may authorize in writing a person, or a person belonging to a class of persons, who is not a public officer to be a surveyor for the purposes of this Ordinance subject to such conditions, if any, as the Director thinks fit and specified in the authorization.
 - (2) Where the Director refuses to authorize a person as a surveyor for the purposes of this Ordinance, or authorizes a person as a surveyor for the purposes of this Ordinance subject to conditions, he shall serve a notice in writing on the person setting out the reasons for the refusal or conditions, as the case may be.
 - (3) Where the Director is satisfied that an authorized surveyor has contravened any of the conditions of his authorization, he may serve a notice in writing on the surveyor revoking the authorization and setting out the reasons for the revocation.
 - (4) The Director, or a Government surveyor authorized in writing by the Director to do so, may carry out an audit check of any survey carried out by an authorized surveyor for the purposes of this Ordinance.
 - (5) For the avoidance of doubt, it is hereby declared that the Director may authorize a person as a surveyor for the purposes for this Ordinance subject to the condition that he is such a surveyor only in relation to a local vessel of which he is the owner.
2. In 2001, the Provisional Local Vessels Advisory Committee has endorsed, in principle, the inclusion of recognized Classification Societies and any person of Registered Professional Engineer (Marine and Naval Architecture) (RPE (MNA)) for the authorization as “Authorized Surveyor” provided that an effective authorization, control and monitoring system is in place. The outlines proposal of such survey delegation and quality control system has been submitted and endorsed by the Committee in early 2004.

Application Requirements

3. The requirements for the authorization as Authorized Surveyor are set out in Annex I and the prescribed application form is at Annex II .
4. Any Registered Professional Engineer (Marine and Naval Architecture) may be authorized as Authorized Surveyor in his individual capacity. Any person of this category wishing to be authorized as Authorized Surveyor is required to complete an application form as prescribed in Annex II, and return with documentary evidence to Director of Marine (Attention: Senior Surveyor of Ships / Local Vessels Safety Section, Marine Department, 23/F Harbour Building, 38 Pier Road, Central, Hong Kong).
5. Any nominated surveyor of recognized Classification Societies (RCS) , recognized under Merchant Shipping (Safety) Ordinance, Cap 369, seeking authorization as Authorized Surveyor through the organization in writing may be authorized under “a Class of Persons” and is subject to the terms and conditions given in the document of authorization. The organization is termed as Authorized Organization (AO) in the document. The AO is required to operate under

a quality assurance system for the effective control and nomination of surveyors to attend relevant duties authorized under the Ordinance in accordance with the requirements and conditions outlined in the authorization document. Relevant documents are obtainable from Marine Department.

6. The applicant should furnish copies of following documentary evidences when submitting the application in respect to the concerned person:-
 - (a) professional qualifications;
 - (b) working experience and references, with particular emphasizing on areas relevant to the duties of an Authorized Surveyor, e.g. relevant practical survey/ inspection experience;
 - (c) business registration certificate indicating business contact address; and
 - (d) present position in employer's organization if he is under employment, including the consent from present employers, if any.
7. Director of Marine will respond to all applications for authorization as Authorized Surveyor within two weeks of receiving the application.
8. All authorization will be promulgated to the public by means of Marine Department notices including the name of the appointee of individual, name of the company, business contact address, telephone and facsimile numbers. In the case the appointee is authorized under "a Class of Persons", the Marine Department notices would promulgate the name of AO, business contact address, telephone and facsimile numbers. The Director will issue a consolidated list of Authorized Surveyors from time to time through the Marine Department notice.
9. Copies of this document and "Conditions for Authorization of Surveyors for Survey of Local Vessels " are obtainable from Local Vessels Safety Section Marine Department (send to the address in above paragraph 4) or from Department's web site (www.mardep.gov.hk) under menu heading of "Public Services -Port Services -Local Vessels Safety".

Monitoring, Audit and Appeal

10. Officers of Marine Department will conduct random monitoring inspections on delegated function or audits with Authorized Surveyors (including those of Authorized Organizations) from time to time to examine implementation practices, procedures and working systems, and to discuss relevant matters for the continuous improvement of the delegation of survey arrangements.
11. Any default found on an Authorized Surveyor / Organization will be referred to the person or Authorized Organization concerned for clarification and rectification as required. Lack of satisfactory explanation by an Authorized Surveyor / Organization concerned in respect of a significant default may be referred for consideration by a Disciplinary Panel which will then consider the case and make recommendation to the Director for any follow up action to be taken.
12. Under section 87 of the Ordinance, an appeal may be made to the Administrative Appeal Board under Administrative Appeal Ordinance, Cap. 442 against a decision of the Director :-
 - (a) to refuse to authorize under section 7 a person as a surveyor for the purpose of the Ordinance;
 - (b) to attach conditions to an authorization under section 7;
 - (c) to revoke an authorization under section 7.

Qualification Requirements for An Authorized Surveyor
- for Registered Professional Engineers (Marine and Naval Architecture Discipline)

1. **Individual Maritime Professionals**

- (a) Qualification :Currently qualified as Registered Professional Engineers (Marine and Naval Architecture Discipline) under Engineers Registration Board of HKSAR, and
- (b) Experience :The applicant shall have at least 4 years maritime engineering practical experience ^(Note 1)with progressing responsibility in the post, in which he :-
- (i) shall have at least 1 year accumulated relevant practical experience in connection with the construction installation, testing, inspection or survey of vessels, or ;
 - (ii) shall have gained at least 1 year accumulated relevant practical experience ^(Note 2) within 4 years maritime engineering practical experience preceding the date of his application, as the Assessment Panel considers appropriate, or ;
 - (iii) shall have gained at least 4 years accumulated relevant practical experience ^(Note 2) as the Assessment Panel considers appropriate.

Note 1: The “maritime engineering practical experience” should be those experience on marine engineering and naval architecture, including marine engineering/system maintenance and repairing, ship design, shipyard practices, structural construction and repairing / maintenance.

Note 2: The “relevant practical experience” can be a combination of experience in (i) the new building construction, testing, inspection or survey of vessels, and (ii) technical services, repairing, maintenance or operation inspection of vessels or maritime engineering practice.

2. **Requirements upon application:**

Every applicant in making the application for the authorization as authorized surveyor shall :-

- (a) complete and sign an application form ;
- (b) produce, to the Assessment Panel, documentary evidence to prove compliance with the required qualification and experience;
- (c) satisfy the Assessment Panel of his suitability for the authorization as authorized surveyor and, if required by the Assessment Panel, to supplement any information or documents as specified or requested by the Assessment Panel.

3. **Validity :**

The validity period of the authorization will be [three] years unless revoked under section7(3) of the Ordinance.

[The validity period is under review in consultation with D of J]

Form

Merchant Shipping (Local Vessels) Ordinance, Cap. 548)
APPLICATION TO BECOME AN AUTHORIZED SURVEYOR

(Completed form is to be submitted to Director of Marine (Attention: Senior Surveyor of Ships/ Local Vessels Safety Section), Marine Department, 23/F Harbour Building, 38 Pier Road, Central, Hong Kong.)

Notes:

- (a) Please complete every item in block letters and in black.
- (b) Please attach photo-copies of I.D. Card and documentary evidence of professional qualifications and other relevant information as required.
A separate sheet may be used with this application form if space prescribed in the form is insufficient.
- (c) *Delete whichever is inapplicable.
- (e) **Personal Data** : The personal data collected by means of this form will be used by the Government for the following purposes: (a) to assess your qualifications in order to determine your eligibility to become Authorized Surveyor that you apply for; and (b) to facilitate future communication between the Government and you.

Photograph
(approx. 4cm x 5cm)

Personal Information

1. Name (Surname first): _____ Sex : _____
2. Date of Birth : _____ Age : _____
3. Nationality : _____ Identity Card or Passport No.: _____
4. Office Contact Address : _____

5. Office Tel. No.: _____ Office Fax No.: _____
6. Academic and Professional Qualifications with Year obtained : _____

7. Dates and experience gained in maintenance or operation inspection of vessels :-

8. Dates and experience gained in installation, testing , inspection or survey of vessels.

9. Have you ever been disciplined and/or subjected to revocation / suspension or de-registered by any Government authority or engineering institution? * Yes / No
If yes, please provide details

Declaration: The undersigned declares the above submitted information details are true and correct.
[to be clarified with Department of Justice later]

Name & Signature of Applicant applied
for the appointment as Authorized Surveyor

Date: _____

10th Draft (Dec 2004) for RPE

**Conditions for Authorization of Surveyors for Survey of Local Vessels
(for A Registered Professional Engineer
(Marine and Naval Architecture))
(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)
(for Consultation Purpose)**

History of revision and amendments:-

[The amended areas as compared to First Draft (Feb 2002) are being shadowed for ready reference.]

[The revised 2nd draft (March 2002) amended the typo mistakes on the RPE Mechanical, MNA, Annex IV and amendments on RPE Register number on application form and appeals etc.]

[The 3rd draft (May 2002) placed suggested amendments for consideration on paragraph 1.2 and inserted a new foot-note in that page. The last foot-note is transferred to previous page. Also, page numbering starts from 0 for cover page and so on].

[The 4th draft (June 2002) added the details in the sub-paragraphs under para 1.1 on the legality of the delegation]

[The 5th draft (dated 20-11-2002) – the overall contents are modified as shadowed or crossed out, but the layout and paragraph numberings were completely changed This document is applicable for appointment of a person of RPE(MNA) and recognized Organizations as Authorized Surveyor]

[The 6th draft (March 2003) (contents revised after meetings of dated 18-12-2002 and 15 January 2003.)]

[The first cover page of Document [3] will be deleted / removed later. Amendment is also made in paragraph 1.13 of Annex II in Document [3] revised dated:18-3-2003]

[The 7th draft (April 2003) is a fair version of 6th draft incorporated with minor amendments as highlighted/ shaded. The previous Document (1) has been separated out for general information purpose. The numbering of Annexes are revised]

[The 8th draft (June 2003) is a further fairing of the previous document in presentation with few minor amendments on areas as highlighted after considering views received from the industry] (amended on 16 July 2003, the numbering of table of para. 1.1 Appendix)]

[The 9th draft ,Nov 2004, few minor amendments were made as necessary and also added a clause on indemnity, which was requested by members of PLVAC, as highlighted.]

[The 10th draft ,Dec 2004, minor amendments and editorial changes were made in paragraphs 2.1 and 2.5 of the authorization document with a remark at its end, also minor changes in Appendices and Annexes as required and highlighted. The indemnity arrangement is pending for further review and decision at a later date, hence those paragraphs are excluded from this draft.]

Note (1): The contents in [] are meant for interim consideration and subject to finalization later.

[Note : *The final draft this document shall be subject to legal vetting by Department of Justice.]*

Marine Department of HKSAR

xxxx / 2005

10th Draft



**CONDITIONS OF AUTHORIZATION OF SURVEYORS
FOR SURVEY OF LOCAL VESSELS**

**– (FOR A REGISTERED PROFESSIONAL ENGINEER (MARINE AND
NAVAL ARCHITECTURE))**

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

(This document is in connection with an authorization in writing by Director of Marine)

**Hong Kong Marine Department
The Government of the Hong Kong Special Administrative Region
22/F Harbour Building,
38 Pier Road, Central, Hong Kong**

Acknowledged and accepted by Authorized Surveyor :

Name & signature : _____

Date : _____

(The final draft of this document shall be subject to legal vetting by Department of Justice)

(10th draft, Dec 2004)

Conditions of Authorization of Surveyors for Survey of Local Vessels
- (for A Registered Professional Engineer (Marine and Naval Architecture))

These conditions form an integral part of the Authorization made by the Director of Marine by letter dated [Date] (“Authorization”) and have to be read together with the Authorization.

Interpretation

“Director” means the Director of Marine, of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China (hereinafter referred as “the Government”).

“Ordinance” means the Merchant Shipping (Local Vessels) Ordinance, Cap 548 including the Merchant Shipping (Local Vessels) (Safety Survey Regulation (Cap 548 sub leg).

“Code of Practice” means any code of practice approved or issued by the Director under section 8 of the Ordinance.

“Local Vessel” has the same meaning as defined in the Ordinance.

1. Validity

The **Authorization** is valid for a period of [Three years] from the date of Authorization unless it is revoked by the Director in accordance with section 7(3) of the Ordinance.

2. Scope of Services and Compliance of Guidelines

- 2.1 The scope of the **Authorization** is any such surveys that are as required by the Ordinance to be carried out on Local Vessels and the determination of compliance by Local Vessels with the applicable instruments that are set out in the Appendices I-(AS) to II-(AS/AO) attached hereto (“Services”).
- 2.2 The Authorized Surveyor shall undertake not to engage in any Services or any activities that may result in a conflict of interest with his performance of any Services.
- 2.3 The Authorized Surveyor shall ensure that every declarations, reports or any document submitted to the Director is signed by the relevant Authorized Surveyor.
- 2.4 The Authorized Surveyor shall notify the Director by the most expeditious means where any Services reveals (a) any non-compliance with the Ordinance or Codes of Practice, and (b) any condition of a vessel that may endanger life and/or cause environmental pollution if operation of the vessel is continued. The Authorized Surveyor shall state the grounds on which the opinion is made and the particulars of measures required to rectify the reported defects.
- 2.5 The Director may refuse, with reasons, to accept any declarations, documents or approval issued or given by the Authorized Surveyor pursuant to this Authorization.

3. Interpretation, Equivalent and Exemptions

- 3.1 While the interpretation of the applicable instruments, as well as the determination of equivalents or the acceptance of substitutes for the requirements of the applicable instruments is the prerogative of the Director, the Authorized Surveyor will co-operate and follow such interpretation or determination as necessary.
- 3.2 The Authorized Surveyor acknowledges that exemptions from the requirements of the applicable instruments are the prerogative of the Director and only the Director may issue exemption certificates.
- 3.3 The interpretation by the Director of the technical aspects of the applicable instruments shall be final.

4. Information and Liaison

- 4.1 The Authorized Surveyor shall set up and maintain an office or representative office in Hong Kong. The Authorized Surveyor undertakes to notify the Director immediately of any changes in the office address.
- 4.2 The Director shall be granted access to and shall be provided on request, all plans and documents including reports on surveys on the basis of which declarations are issued by an Authorized Surveyor under the Authorization.
- 4.3 The Authorized Surveyor shall agree to hold such meeting with the Director as often as may be necessary, and in any event not less than once a year, to discuss any technical issue in relation to the Services with a view to promoting marine safety.

5. Document and Record System

The Authorized Surveyor shall endeavor to satisfy the Director that the Authorized Surveyor's document and record system continues to comply with the requirements acceptable to the Director.

6 Remuneration

Remuneration for any Services is to be settled directly between the Authorized Surveyor and the party requesting the Services, and the Director is not involved whatsoever.

7. Confidentiality

- 7.1 The Authorized Surveyor shall treat as confidential all information supplied by the Government under this Authorization which is designed as confidential by the Government or which is by its nature clearly confidential, provided that this requirement shall not extend to any information which was rightfully in the possession of the Authorized Surveyor prior to the date of the Authorization or which is already public knowledge or becomes so at a future date (otherwise than as a result of a breach of this condition).

- 7.2 The Authorized Surveyor shall not without the prior written consent of the Government at any time either during the course of this Authorization or thereafter divulge any information which the Authorized Surveyor is required by paragraph 7.1 to treat as confidential to any person except to its own employees and then only to those employees who need to know the same. The Authorized Surveyor shall ensure that his employees are aware of and comply with these conditions of the Authorization.
- 7.3 The obligations of the Authorized Surveyor in this paragraph shall remain in effect irrespective of the expiration of the period as stipulated in paragraph 1 or early revocation of the Authorization under section 7(3) of the Ordinance.

8. **Audit Inspection**

- 8.1 From time to time the Director (or authorized officer) may inspect any vessel in respect of which an Authorized Surveyor is carrying out or has carried out the Services for the purpose of ensuring that the Authorized Surveyor has complied with these conditions of Authorization. The results may be discussed at meetings with the relevant Authorized Surveyor. The Director may take appropriate action as he considers necessary.
- 8.2 The Director (or his authorized officer) may conduct audits on documentation and record systems of Authorized Surveyor as and when necessary.

9. **Amendments**

Any amendment to these Conditions of Authorization (including the Appendices) will become effective upon notification given by the Director to the Authorized Surveyor.

[Remark : The “Indemnity” arrangement or requirement is pending for further review and decision at a later date .]

List of Appendices

Appendix I-(AS) Delegation of Surveys (for Registered Professional Engineers of Marine and Naval Architecture discipline)

Appendix I-(Pro) Programme for the survey delegation of low risk local vessels

Appendix II-(AS/AO) Guidelines for Authorized Surveyors / Organizations

Annex 1 Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels

Annex 2 Declaration of Survey and Record of Construction and Equipment –for Initial Survey/ Periodical Survey of A Local Vessel (Samples)

Annex 3 Outline Details on the Formation of Assessment Panel and Disciplinary Panel

Annex 4 Marine Department Relevant Contact Information

DELEGATION OF SURVEYS (for Registered Professional Engineers / MNA)**1. Scope of Delegation of Surveys**

1.1 Authorized Surveyors of Registered Professional Engineers / MNA discipline are authorized under section 7(1) of the Ordinance to carry out the following statutory surveys on behalf of the Director in respect of the classes and types of Hong Kong locally licensed vessels as indicated in the table of paragraph (i) below other than classed vessels and high risk vessels (Note 1*) *Programme for the survey delegation of low risk local vessels is referred to Appendix I (Pro)*

(i) Vessels not classed with Classification Societies-

Class –type-category of vessels for delegation of survey (Note 2 & 3)	Initial Survey	Periodical Survey	Final Survey	Plan Approval
(a) Class II dumb lighters and hopper barges	1 st Phase	1 st Phase	1 st Phase	2 nd Phase
(b) Class III steel or GRP fishing vessels	3 rd Phase	1 st Phase	1 st Phase	3 rd Phase
(c) Class II category A vessels	3 rd Phase	1 st Phase	1 st Phase	3 rd Phase
(d) All Class II and Class III vessels	4 th Phase	4 th Phase	4 th Phase	4 th Phase

(ii) For vessels classed with Classification Societies

Classification Societies are delegated with responsible for surveys of structural requirements for all types of vessels that are classed with them, including high risk vessels and some agreed inspection items of Class I vessels on case by case basis.

Note: (1) * high risk vessels mean all Class I vessels, oil tankers, dangerous goods carriers and noxious liquid substances carriers and any Class II vessels intended for carrying cargoes of hazardous nature.

(2) Starting date for the programme on the delegation of surveys will be promulgated by the Director as required.

(3) For the transitional period, Marine Department will conduct final surveys for vessels constructed or repaired outside Hong Kong waters. Such requirement will be reviewed after completed various phases of survey delegation.

2. Applicable Instruments for Surveys

Authorized Surveyors shall carry out the statutory surveys for which they are delegated in accordance with the relevant Code of Practice and legislation requirements as indicated in the following main instruments as amended from time to time :

- 2.1. Merchant Shipping (Local Vessels) Ordinance, Cap. 548;
- 2.2. Merchant Shipping (Local Vessels)(Safety Survey) Regulation, Cap.548 ;
- 2.3. Merchant Shipping (Local Vessels)(Fees) Regulation, Cap. 548 ; (*for reference only*)
- 2.4. Code of Practice – Safety Standards for Class I, II and III Vessels (and those relevant statutory legislation indicated therein) ;
- 2.5. Code of Practice – Safety Standards for Class IV Vessels (and those relevant statutory legislation indicated therein)

3. Issue of Declaration of Survey

Upon satisfactory completion of the statutory survey of a vessel, the Authorized Surveyor shall submit a declaration of survey in the prescribed form and, where applicable, survey reports to the Director. Certificate of Survey will be issued by Marine Department accordingly.

(Note : This Annex on authorization of surveys would be revised as required and will be published in the Marine Department Notice.)

Programme on the survey delegation of low risk local vessels

1 st and 2 nd Stages	Survey Delegation Phases & Expected Commencement	Class /Category/Types of Vessels %	Type and Scope of Delegated Survey (see Remark (a) and Remark(c))
1 st Stage survey delegation (see Remark(b)(i))	1 st Phase (from commencement date of LVO, in around mid of 2005)	(1) Dumb lighter, Hopper barge (some of the Class II-B)	(i) New constructions / Initial surveys (including final survey) (ii) All periodic surveys (including final survey)
		(2) WT+CL vessels and Steel /GRP fishing vessels (Classes II-A and III-A)	(i) New constructions / Initial surveys (including final survey) (ii) All periodical survey (including final survey)
2 nd Stage survey delegation (see Remark (b)(ii))	2 nd Phase (Half year after 1 st Phase)	(1) Dumb lighter, Hopper barge (some of the Class II-B)	All plan approval for new-built (for new licences) and modifications (existing vessels)
	3 rd Phase (Half year after 2 nd Phase)	(2) WT+CL vessels and Steel /GRP fishing vessels (Classes II-A and III-A)	All plan approval for new-built (for new licences) and modifications (existing vessels)
	4 th Phase (One year after 3 rd Phase)	(3) All AT vessels (Classes II-B and III-B)	All delegated survey work, including plan approval

LVO = Merchant Shipping (Local Vessels) Ordinance, Cap 548

% = Except high risk vessels (such as those vessels transporting more than 12 passengers, or carriage of petroleum products, dangerous goods or noxious liquid substances etc.)

WT = Western Type vessels (Including steel / Glass Reinforced Plastics GRP hull cargo or fishing vessels, tug boats and transport/ work boats carrying less than 12 passengers.^[Note] etc. Under LVO, these are Class II(A) and Class III(A) vessels.)

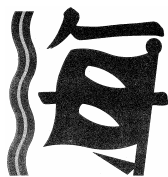
CL = Classed cargo vessels of WT (Including those dry cargo vessels transporting not more than 12 passengers^[Note], carriage of petroleum products, dangerous goods or noxious liquid substances etc.. Survey delegation of this type of vessels would be only on construction survey and relevant plan approval, which are the present practices for many years. Under LVO, these are Class II(A) vessels.)

AT = Asiatic Type (Including wooden hull dry cargo or fishing vessels, dumb-lighters and hopper barges, and GRP fishing sampans. Under LVO, some of these vessels are Class II(B) and Class III(B).)

[Note] : Subject to licensing permission and compliance of relevant design and construction requirements., i.e. dry cargo vessels, tug boat, transportation / work boats may be permitted to carry not more than 12 passengers.

Remark on scope of survey delegation

- (a) For those initial licensing surveys or periodic surveys conducted outside Hong Kong (new or existing vessels), audit inspections, some of initial survey items and their final surveys are to be conducted by MD normally in Hong Kong. This arrangement will be reviewed within the 4th Phase.
- (b) (i) In 1st stage survey delegation program, MD would approve plans for new-built or initial licence vessels and conduct one on-site initial survey on key items including inclining test, some essential inspections / testing and audit (require about 2-3 days) followed by final survey to be conducted normally in Hong Kong (require about 1-2 days).
- (ii) In 2nd stage survey delegation program, MD would involve for new-built or initial licence vessels only in final survey and audit normally in Hong Kong (require about 1-3 days). MD would audit plans approved by authorized surveyors/ organizations /recognized authorities in office before conducting onboard survey/ audit. Having prior arrangement with MD, owners may choose MD to conduct one on-site initial survey and audit during transition period. This arrangement will be ended when the 4th Phase is completed.
- (c) Upon completion of the above relevant surveys and submission of the declaration of surveys by authorized surveyors/organizations /recognized authorities or MD officers, Certificate of Survey will be issued by MD.



Guidelines for Authorized Surveyors / Organizations

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

- Note: (1) Nominated surveyor of a Recognized Organization when authorized by the Director is also termed as Authorized Surveyor in the contexts of these documents.
- (2) Annexes 1-a and 1-b and Annexes III-c-1, III-d and III-e are re-grouped into Document of Conditions of relevant AS grouping. Those Annexes are re-numbered accordingly
- (3) Numbering of Annexes are revised to Appendices and Annexes in May 2003.
- (4) The guidelines apply to Authorized Surveyors, Authorized—Organizations and their nominated surveyors in the same manner.
- (5) The revised draft in December 2004, minor amendments and editorial changes were made to paragraphs 1.3, 1.5, 1.6, 1.7, 1.8, 1.10, 1.11 and 3.2, and also in Annexes as required and highlighted for reference.

[Note : The final draft this document shall be subject to legal vetting by Department of Justice.]

Marine Department of HKSAR

xxxx / 2005

Guidelines for Authorized Surveyors / Organizations
Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548

The following guidelines and requirements are to be observed by all Authorized Surveyors (including all the Authorized Surveyors/ Organizations and their nominated surveyors acting as Authorized Surveyors under section 7 of the Ordinance) :-

1. Duties, Responsibility and Declarations

- 1.1. Authorized Surveyors are required to be familiar with the legislation requirements, the recognized engineering standards and codes applicable to the design, construction, inspection and testing of different type of vessels covered under the Ordinance relevant to the scope of the authorization of surveys.
- 1.2. Authorized Surveyors shall comply with the guidelines, requirements, codes and procedures issued by Marine Department in connection with statutory surveys of locally licensed vessels..
- 1.3. The work scope of Authorized Surveyors in respect of any vessel in existing licensing or intended for licensing, which is specified in Appendix I-(AS/AO), may cover part or all of the following :-
 - (i.) approval of plans and other technical documents;
 - (ii.) conducting initial and periodical inspections;
 - (iii.) issuing of Declaration of Survey to the Marine Department(‘Department’) after the relevant inspections of a vessel have been completed. (Note :- Plans for any proposed modification of the vessel should be properly approved prior to the inspection of the modification and the issue of the Declaration of Survey to the Department); and
 - (iv.) performing any other work authorized by Director of Marine.
- 1.4. The work scope of authorized surveyors must accord with the extent of statutory surveys authorized by Director of Marine as promulgated in the Marine Department Notice from time to time.
- 1.5. Authorized Surveyors may serve as technical consultants to vessel owners to ensure the proper maintenance and safe use of their vessels in accordance with the requirements of the Ordinance.
- 1.6. In the case of the delegation of certain survey items by a responsible designated Authorized Surveyor (engaged by an owner of the vessel under the form on ‘Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels” in Annex 1) to another Authorized Surveyor, the final responsibility shall be held by the responsible Authorized Surveyor to ensure the full completion and satisfaction of the survey work. For certain survey items, e.g. NDT or steel material test, the Authorized Surveyor may engage certain reputable companies working under his supervision.

- 1.7. Authorized Surveyor who undertakes to conduct inspections for the purpose of issuing an intended Certificate shall complete the “Notice of Engagement” form as shown in Annex 1 given by owner of a local vessel. He shall indicate in the form the names of any other Authorized Surveyors and/or organizations who who may involve in the survey work. The owner or the undertaking Authorized Surveyor/ Organization should send the completed “Notice” of Annex 1 by facsimile to Local Vessels Safety Section of Marine Department. MD will assist in releasing information for the concerned vessel as necessary. The notification by such “Notice“ to the Department should be as soon as possible or no less than [three working days] before to the commencement of the concerned survey.
- 1.8. Upon satisfactory completion of a survey work, the responsible Authorized Surveyors shall complete and submit the Declaration of Survey in the relevant specified form (refers to Annex 2) to the Director (together with the form “Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels” if there are additional survey engagement) as soon as possible but no later than [seven working days]. A copy of the above mentioned Declaration of Survey shall also be faxed to Marine Department and a copy given to the owner of the vessel. Another copy is to be kept on board until the relevant certificate is issued by Director of Marine. The Certificate of Survey shall be ready for collection by the Owner of the vessel usually within [three working days] upon the declaration is received and found in order.
- 1.9. Except as provided in paragraph. 1.6 above, all documents must be signed by the responsible Authorized Surveyor in his individual capacity and all inspections must be conducted personally by the Authorized Surveyors.
- 1.10. The Authorized Surveyor/ Organization shall maintain a complete record of survey engagements by owners, declarations, calculations, survey reports, issue or cancellation of Certificates (if any), and such other documents as are necessary to establish that the Authorized Surveyor has acted in conformity with the relevant Regulations and Codes of Practice. Such records shall be maintained for at least six years.
- 1.11. Any dispute relating to the interpretation of the Codes of Practice or Merchant Shipping (Local Vessels) (Safety Survey) Regulation shall be referred for a final ruling to the Director (for the attention of the General Manager of Local Vessels Safety Branch, Marine Department). Ruling given by the Director shall be final.

2. Access to information

In accordance with the “Prevention of Copyright Piracy Ordinance, Cap. 544”, the author of the drawings / approval documents submitted to Marine Department would possess the copyright. The Department will not copy any drawings / approval documents to third party, including owner of the vessel or an Authorized Surveyor without prior consent of the concerned author. Any request from Authorized Surveyor for information on records held by

Marine Department, will be dealt with in accordance with the procedures set out in the Code on Access to Information, which is available in the Government web-site www.info.gov.hk/access/. Particular attention should be paid to the requirements in paragraphs 1.20 to 1.23 in the said Code regarding the handling of third parties information. Personal data of individual clients of the Authorized Surveyor is protected under “Personal Data (Privacy) Ordinance, Cap. 486”. Details of the Ordinance is available via Government web-site: www.justice.gov.hk

3. Avoidance of conflict of interest

- 3.1 Prevention of Bribery Ordinance, Cap. 201 (PBO), Government servants are subject to Sections 3, 4 and 10 of the PBO while staff of public bodies are subject to Section 4. As for the private sector, section 9 of the PBO helps the business sector maintain a commercial environment conducive to fair competition and efficiency. Authorized Surveyors are expected to observe the relevant provisions and nurture and uphold :-
- (i.) commitment to the rule of law of Hong Kong;
 - (ii.) honesty and integrity above private interests;
 - (iii.) dedication and diligence in serving the industry.
- 3.2 A conflict of interest may arise when the personal interest of an employee is in conflict with his official position or when personal interest of an engineer competes with the interests of his employer or clients. Conflict of interest can distort and cast doubt on the reliability of professional judgment, sow seeds of distrust, cause damage to an organization and in its most serious form result in corruption and undermine public confidence in it.
- 3.3 Authorized Surveyors are expected to ~~maintain~~ high standards of integrity and avoid conflict of interest in situations or circumstances which are elaborated in paragraphs 3.4 to 3.6 or may also be advised by Director of Marine as required when specific situations arise.
- 3.4 Authorized Surveyors / Organizations shall ensure in the exercise of this appointment that all actions are directed towards obtaining an independent assessment and scrutiny of the design and construction of vessels which are presented to them for consideration under the relevant Regulations and Codes of Practice.
- 3.5 An Authorized Surveyor/ Organization shall not undertake the survey of a vessel whilst having an existing responsibility for the design or the construction or operation of the vessel (or sister vessel in production) or having interest, financial or otherwise, in the ownership or commercial management of the vessel.
- 3.6 Information of value may be accessible to authorized surveyors when they provide service to vessel owners. Some information may, on the surface, appear to have little value of interests to the authorized surveyor but may be of value to a third party or competitor. Authorized surveyors are advised to exercise extreme caution to ensure confidentiality of such information.

4. Monitoring, Audit and Disciplinary Action

4.1 Monitoring Mechanism

- (i) The Ordinance places onerous responsibilities on Authorized Surveyors and they must safeguard against inadvertently exposing themselves to situations where their competence or integrity may be brought into question.
- (ii) It is important that all Authorized Surveyors/ Organizations should exercise great care and diligence in the performance of their duties. All submissions by Authorized Surveyors/ Organizations to the Department shall be scrutinized regularly. An officer of the Department may accompany Authorized Surveyors during the survey work as part of the quality audit and to conduct random performance checks on the inspections made by the Authorized Surveyors.
- (iii) Authorized Surveyors are always welcome to seek advice from the Head of Local Vessel Safety Section or General Manager of Local Vessels Safety Branch of the Marine Department.

4.2 Audit

- (i) Marine Department may conduct audits with Authorized Surveyors or Authorized Organizations from time to time to examine implementation practices, procedures and working systems, and to discuss relevant matters for the continuous improvement of the delegation of survey arrangement under this authorization. At the completion of the audit, the Authorized Surveyor/ Organization will be advised in writing of the findings together with recommendations and any required corrective action.
- (ii) The Authorized Organization shall ensure the quality of the delegated functions and surveys of their nominated surveyors. This should be under the monitoring of an Authorized Organization Committee as indicated in the Guidance Notes issued to the Organizations. The audit procedure on an Authorized Organization Committee shall be in accordance with the Guidance Notes.

- 4.3 Any default found on an Authorized Surveyor or nominated surveyor of Authorized Organization will be referred to the person concerned or Authorized Organization for clarification and rectification as required. Lack of satisfactory explanation by an Authorized Surveyor or Authorized Organization in respect of a significant default may be referred for consideration of a Disciplinary Panel which will then consider the case and make recommendation to the Director for any following action to be taken. The formation and composition of the Disciplinary Panel is detailed in Annex 3.

List of Annexes

- Annex 1 Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels
- Annex 2 Declaration of Survey and Record of Construction and Equipment –for Initial Survey/ Periodical Survey of a Local Vessel (Samples)
- Annex 3 Outline Details on the Formation of Assessment Panel and Disciplinary Panel
- Annex 4 Marine Department Relevant Contact Information

Notice of Engagement of

Authorized Surveyor/ Organization or Recognized Authority for Survey of Local Vessels

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

To : Marine Department, Local Vessels Safety Section

Fax No.: (852) 2542 4679

(* delete where not applicable, [] tick where applicable)

I, _____, Owner* / Owner's Representative* of the licensed vessel(s) with certificate of ownership number(s) _____, have engaged _____ being an **Authorized Surveyor / Organization / Recognized Authority** under the Ordinance responsible for the survey work and to make declarations relating to the issue of following certificate(s) or records for Class II / Class III* (A / B *) vessel(s):-

- 1. Initial survey []
- 2. Periodical survey
 - (a) Assignment of Freeboard Certificate []
 - (b) Hong Kong Load Line Certificate []
- 3. Final Survey
 - (a) Certificate of Survey []
 - (b) Survey Record of Safety Equipment []
- 4. Others as relevant : _____ []

I seek your assistance to release any records in relation to the vessel's previous surveys to the Authorized Surveyor/ Organization / Recognized Authority* as indicated above, if the vessels was not surveyed by him previously. (* Yes / No)

I confirm modification has been made to the above vessel since last survey inspection, (*Yes / No) and with approval document. (* Yes / No)

Signature of Owner * or

Owner's Representative* of Vessel(s) _____

Name in block letter: _____ Date : _____

Acknowledge and accepted by:-

Official Stamp of Organization/ Authority

Signature of *Authorized Surveyor / Representative of

*Authorized Organization / Recognized Authority _____

Name in block letters : _____ Date : _____

*Authorized Surveyor(s) or Nominated surveyor(s) of Authorized Organization/ Recognized Authority, if any , involved with the relevant inspections are listed below :-

(Sample)

**Declaration of Survey and
Record of Construction and Equipment
For the Initial Survey of a Local Vessel**

FILE NO.: SD/L-	NAME OF VESSEL:-	CERTIFICATE OF OWNERSHIP NO.:-
PARTICULARS OF VESSEL:-	Category A/B	Class I / II / III Type

Part 1 Construction Survey Items

No	Survey Requirements		Date Surveyed	Surveyor	Comment (see detail below)	
	Survey Item	Category of Vessel				
		A				B
1	Mould Loft/GRP Shell Moulding - inspection	✓				
2	Material test - Steel Plate/GRP Polyester Resin (*2)	✓	✓ (*1)			
	Etc.					

Part 2 Final Survey Items

No	Survey Items (*2)	Date Surveyed	Surveyor	Comment (see detail below)
1	Life Saving Appliances - inspection and function test			
2	Fire Fighting Appliances (incl. CO ₂ fixed fire extinguishing installation, emergency fire pump) - inspection and function test			
	Etc.			

Part 3 Record of Equipment and Operational Conditions

Page-1

船隻名稱 Name of Vessel	船隻擁有權證明書號碼 Certificate of Ownership No.
級別 Class	類別 Category
全長度 (米) Overall Length (m)	最闊 (米) Extreme Breadth (m)
登記長度 (米) Registered Length (m)	總噸 Tonnage Gross
	船深 (米) Depth (m)
	淨噸 Tonnage Nett.
	船體材料 Hull Material
	長 x 闊數 L x B numeral

(1) 此船已裝置下列救生及無線電設備:

That the vessel is provided with the following life saving appliances and

radio equipment :

- 機動救生艇 motor lifeboats ()
- 氣脹救生筏 inflatable liferafts ()
- 救生浮具 buoyant apparatus ()
- 成人救生衣 adult lifejackets
- 小童救生衣 child lifejackets

- 總乘客人數
Total number of passengers
- 最高船員人數
Max. Number of crew
- 最高人數
Maximum number of persons

Etc.

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Page-2

船東及有關資料 Ownership and Related Information:

此船東 Owner of vessel :

地址 Address:

船隻擁有權證明書號碼

Certificate of Ownership No.

建造年份

Year-Built

開始檢驗週期

Starting Date of Survey cycle

首次領牌日期

Date first licensed

主要裝置資料 Particulars of Key Installations

- (1) 此船載有 公噸固定壓艙物。
This vessel has tonnes of permanent ballast onboard. [有 / 沒有]
[Yes / No]
- (2) 此船上設有推動系統。
The vessel is fitted with propulsion system. [有 / 沒有]
[Yes / No]
- (3) 此船上設有輔助機器。
The vessel is fitted with auxiliary machinery. [有 / 沒有]
[Yes / No]
- (4) 燃油艙櫃載量 Fuel Tank Capacity (立方米/ Meter Cube) : [.....], in 在 [.....]
個油艙櫃內。
No. of tanks.

Etc.

Survey Remarks

I declare that the above surveys were conducted in accordance with the requirements of the Merchant Shipping (Local Vessels) Ordinance, Cap 548, and relevant regulations, codes and standards as required to my satisfaction. The survey confirms that the structure, equipment, system, fittings, arrangement and material of the vessel and the condition thereof are in all respects satisfactory and that the vessel will in my judgment be sufficient until ⁽¹⁾

Supplement survey reports to be attached, if applicable. [Yes / No]

ORGANISATION/ AUTHORITY OFFICIAL STAMP:

SIGNATURE OF NOMINATED / AUTHORIZED SURVEYOR : _____

NAME OF NOMINATED / AUTHORIZED SURVEYOR : _____

DATE : _____

Note: (1) It is normally not exceeding 12 months, unless obvious deficiencies are found. In such case, the date (usually one to two months) is to be proposed by authorized surveyor or otherwise to be agreed with Marine Department in advance.

(Sample)

Declaration of Survey and
Record of Construction and Equipment
For the Periodical Survey of a Local Vessel

FILE NO.: SD/L-	NAME OF VESSEL:-	CERTIFICATE OF OWNERSHIP NO.:-	
PARTICULARS OF VESSEL:-	Category A/B	Class I / II / III	Type

Part 1 Periodical Construction Survey Items

No	Survey Requirements							Date Surveyed	Surveyor	Comment (see detail below)	
	Survey Item	Class/Category/Type of Vessel	Class IIA, IIIA Vessel			Class I B, II B, III B Vessel					
			1	2	4	1	2				4
1	Hull - external (incl. ship bottom) inspection		✓			✓		(*10)			
2	- internal (excl. oil, water tanks and void spaces) inspection										
3	- internal (incl. oil, water tanks and void spaces) inspection (*2)			✓			✓	(*10)			
4	- gauging thickness of deck, shell and bulkhead plating (*3)			✓			✓	(*10)			
5	Sea Suctions, Discharging Valves - stripped down inspection			✓			✓	(*10)			
	<i>Etc. (Table 2 Items)</i>										

Part 2 Final Survey Items

No	Survey Items (*2)	Date Surveyed	Surveyor	Comment (see detail below)
1	Life Saving Appliances - inspection and function test			
2	Fire Fighting Appliances (incl. CO ₂ fixed fire extinguishing installation, emergency fire pump) - inspection and function test			
	<i>Etc.</i>			

Part 3 Record of Equipment and Operational Conditions

Page-1

船隻名稱 Name of Vessel	船隻擁有權證明書號碼 Certificate of Ownership No.		
級別 Class	類別 Category	類型 Type	
全長度 (米) Overall Length (m)	最闊 (米) Extreme Breadth (m)	船深 (米) Depth (m)	船體材料 Hull Material
登記長度 (米) Registered Length (m)	總噸 Tonnage Gross	淨噸 Tonnage Nett.	長 x 闊數 L x B numeral
(1) 此船已裝置下列救生及無線電設備： That the vessel is provided with the following life saving appliances and radio equipment :			
..... 機動救生艇 motor lifeboats () 氣脹救生筏 inflatable liferafts () 救生浮具 buoyant apparatus () 成人救生衣 adult lifejackets
..... 小童救生衣 child lifejackets			
Etc.		總乘客人數 Total number of passengers	最高船員人數 Max. Number of crew
		最高人數 Maximum number of persons	

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Page-2

船東及有關資料 Ownership and Related Information:	
此船東 Owner of vessel :	
地址 Address:	
船隻擁有權證明書號碼 Certificate of Ownership No.	建造年份 Year-Built
開始檢驗週期 Starting Date of Survey cycle	首次領牌日期 Date first licensed
Etc.....	...

主要裝置資料 Particulars of Key Installations

(1) 此船載有 This vessel has	公噸固定壓艙物。 tonnes of permanent ballast onboard.	[有 / 沒有] [Yes / No]
(4) 此船上設有推動系統。 The vessel is fitted with propulsion system.		[有 / 沒有] [Yes / No]
(5) 此船上設有輔助機器。 The vessel is fitted with auxiliary machinery.		[有 / 沒有] [Yes / No]
(4) 燃油艙櫃載量 Fuel Tank Capacity (立方米/ Meter Cube) : [_____], in 在 [_____]		個油艙櫃內。 No. of tanks.
Etc...		
Etc...		

...

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Survey Remarks _____

I declare that the above surveys were conducted in accordance with the requirements of the Merchant Shipping (Local Vessels) Ordinance, Cap 548, and relevant regulations, codes and standards as required to my satisfaction. The survey confirms that the structure, equipment, system, fittings, arrangement and material of the vessel and the condition thereof are in all respects satisfactory and that the vessel will in my judgment be sufficient until ⁽¹⁾

Supplement survey reports to be attached, if applicable. [Yes / No]

ORGANIZATION/ AUTHORITY OFFICIAL STAMP:

SIGNATURE OF NOMINATED / AUTHORIZED SURVEYOR : _____

NAME OF NOMINATED / AUTHORIZED SURVEYOR : _____

DATE : _____

Note: (1) It is normally not exceeding 12 months, unless obvious deficiencies are found. In such case, the date (usually one to two months) is to be proposed by authorized surveyor or otherwise to be agreed with Marine Department in advance.

**Outline Details on the Formation of Assessment Panel
and Disciplinary Panel**

In pursuing the action under Sections 7(1) to 7(4) of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548 (hereafter to be referred as 'Ordinance') on the authorization and monitoring of authorized surveyors, Assessment Panel and Disciplinary Panel shall be formed as and when required. These panels shall make recommendations as required for the consideration of Director of Marine in his actions on authorization, suspension and revocation.

1 Assessment Panel

The Assessment Panel would meet as required and consider application cases for the appointment of authorized surveyors and to make appropriate recommendation to Director of Marine for his consideration on the authorization.

The Assessment Panel shall consist of following members:-

- (a) General Manager of Local Vessels Safety Branch, Chairman
- (b) Senior Surveyor of Local Vessels Safety Section;
- (c) Surveyor of Local Vessels Safety Section.

2. Disciplinary Panel

The Panel would consider reported cases of incompetence, neglect or misconduct on the performance of an Authorized Surveyor. As for default cases of Registered Professional Engineers appointed as Authorized Surveyor, these can be referred by the Chairman of the Panel to the Engineers Registration Board (ERB) under the Engineers Registration Ordinance, Cap 409. The Panel would review the result of the ERB of each case for making the appropriate recommendation to the Director of Marine for his consideration. Members of the Panel would have to declare conflict of interest in a standard form at the beginning of each meeting involving disciplinary action. The Disciplinary Panel shall consist of following members:-

- (a) General Manager of Local Vessels Safety Branch, Chairman
- (b) Senior Surveyor of Local Vessels Safety Section;
- (c) One representative from independent maritime professionals or professional organizations;
- (d) One representative from Hong Kong Institution of Engineers (a person who is currently not involved in inspection or survey of vessels as main business);
- (e) One representative from vessels owners;
- (f) One representative from tertiary institutions.

There shall be not more than 3 persons appointed from each of the category in 2(c) to 2 (f)

3. Appeal Procedure

Under section 87 of the Ordinance, an appeal may be made to the Administrative Appeal Board under Administrative Appeal Ordinance, Cap. 442 against a decision of the Director :-

- (a) to refuse to authorize under section 7 a person as a surveyor for the purpose of the Ordinance;
- (b) to attach conditions to an authorization under section 7;
- (c) to revoke an authorization under section 7.

Marine Department Relevant Contact Information

1. General Manager, Local Vessels Safety Branch

Address: Marine Department
Room 2202A, 22/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2854 9416

Tel. No.: (852) 2852 4406

2. Local Vessels Safety Section

Address: Marine Department
Room 2308, 23/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2542 4679

Enquiry No.: (852) 2852 4444

Tel. No. of Section Head (852) 2852 4430

3. Licensing and Port Formality Section

Address: Marine Department
Central Marine Office
Room 308, 3/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2545 8212

Enquiry No.: (852) 2852 3081 -3

Tel. No. of Section Head (852) 2852 4455

4. Marine Industrial Safety Section

Address: Marine Department
Room 2315, 23/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2543 7209

Enquiry No.: (852) 2852 4477

Tel. No. of Section Head: (852) 2852 4472

5. Vessel Traffic Centre

Fax No.: (852) 2543 7209

Tel. No.: (852) 2233 7801

6th Draft (Dec 2004) for Class

Conditions of Authorization of Surveyors for Survey of Local Vessels
- (for a Recognized Classification Society,
also named as Authorized Organization)
(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

(for Consultation Purpose)

History of revision and amendments:-

[This first draft, dated 20-11-2002, is applicable for appointment of recognized Organizations as Authorized Surveyor.]

[The second draft is prepared in Feb 2003 after the consultation meeting held on 13 January 2003 with Classification Societies. The first cover page of Document [3] will be deleted / removed later. Amendment is also made in paragraph 1.13 of Annex II in Document [3] revised dated: 18-3-2003]

[The 3rd draft (April 2003) is a fair version of 2nd draft incorporated with minor amendments as highlighted/ shaded. The previous Document (1) has been separated out for general information purpose. The numbering of Annexes are revised]

[The 4th draft (June 2003) is a further fairing of the document in presentation with few minor amendments on areas as highlighted after considering views received from the industry]

[The 5th draft , Nov 2004, few minor amendments were made as necessary and also added a clause on indemnity, which was requested by members of PLVAC, as highlighted.]

[The 6th draft, Dec 2004, minor amendments and editorial changes were made in paragraphs 2.2, 2.6 and 5.1 of the authorization document with a remark at its end, also minor changes in Appendices and Annexes as required and highlighted. The indemnity arrangement is pending for further review and decision at a later date, hence those paragraphs are excluded from this draft.]

Note (1) The contents in [] are meant for interim consideration and subject to finalization later.

[Note: The final draft this document shall be subject to legal vetting by Department of Justice.]

Marine Department of HKSAR

xxxx / 2005



**CONDITIONS OF AUTHORIZATION OF SURVEYORS
FOR SURVEY OF LOCAL VESSELS**

**– (FOR A RECOGNISED CLASSIFICATION SOCIETY,
ALSO NAMED AS AUTHORIZED ORGANIZATION]**

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

(This document is in connection with an authorization in writing by Director of Marine)

**Hong Kong Marine Department
The Government of the Hong Kong Special Administrative Region
22/F Harbour Building,
38 Pier Road, Central, Hong Kong**

Acknowledged and accepted by Authorized Surveyor/ Organization :

(with Organization stamp and with authorized signature)

Stamp of Organization

Name & authorized signature : _____

(_____)

Date : _____

[Note: The final draft this document shall be subject to legal vetting by Department of Justice.]

(6th Draft , Dec 2004)
Conditions of Authorization of Surveyors for Survey of Local Vessels
-- (for a Recognized Classification Society)

These conditions form an integral part of the Authorization made by the Director of Marine by letter dated [Date] (“Authorization”) and have to be read together with the Authorization.

Interpretation

“Director” means the Director of Marine, of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China (hereinafter referred as “the Government”).

“Ordinance” means the Merchant Shipping (Local Vessels) Ordinance, Cap 548 including the Merchant Shipping (Local Vessels) (Safety Survey Regulation (Cap 548 sub leg).

“Authorized Organization” means [Name of the classification society] .

“Authorized Surveyor” means any person who is exclusively employed by the Authorized Organization and is so nominated by the Authorized Organization in accordance with paragraph 5.2.

“Code of Practice” means any code of practice approved or issued by the Director under section 8 of the Ordinance.

“Local Vessel” has the same meaning as defined in the Ordinance.

1. Validity

The **Authorization** is valid for a period of [Three years] from the date of Authorization unless it is revoked by the Director in accordance with section 7(3) of the Ordinance.

2. Scope of Services and Compliance of Guidelines

2.1 The Authorized Organization shall ensure every Authorized Surveyor to agree to comply with these conditions before conducting any Services as defined in paragraph 2.2 below.

2.2 The scope of the **Authorization** is any such surveys that are as required by the Ordinance to be carried out on Local Vessels and the determination of compliance by Local Vessels with the applicable instruments that are set out in the Appendices I-(AO) to V-(AO) attached hereto (“Services”).

- 2.3 The Authorized Organization shall require every Authorized Surveyor to undertake not to engage in any Services or any activities that may result in a conflict of interest with his performance of any Services.
- 2.4 The Authorized Organization shall ensure that every declaration, report or any document submitted to the Director is signed by the relevant Authorized Surveyor and that the signature shall be accompanied by the official seal or stamp of the Authorized Organization.
- 2.5 The Authorized Organization shall notify the Director by the most expeditious means where any Services reveals (a) any non-compliance with the Ordinance or Codes of Practice, and (b) any condition of a vessel that may endanger life and/or cause environmental pollution if operation of the vessel is continued. The Authorized Organization shall state the grounds on which the opinion is made and the particulars of measures required to rectify the reported defects.
- 2.6 The Director may refuse, with reasons, to accept any declarations, documents or approval issued or given by the Authorized Organization pursuant to this Authorization.

3. Interpretation, Equivalents and Exemptions

- 3.1 While the interpretation of the applicable instruments, as well as the determination of equivalents or the acceptance of substitutes for the requirements of the applicable instruments is the prerogative of the Director, the Authorized Organization will co-operate and follow such interpretation or determination as necessary.
- 3.2 The Authorized Organization acknowledges that exemptions from the requirements of the applicable instruments are the prerogative of the Director and only the Director may issue exemption certificates.
- 3.3 The interpretation by the Director of the technical aspects of the applicable instruments shall be final.

4. Information and Liaison

- 4.1 The Authorized Organization shall set up and maintain an office or representative office in Hong Kong. The Authorized Organization undertakes to notify the Director immediately of any changes in the office address.
- 4.2 The Director shall be granted access to and shall be provided on request, all plans and documents including reports on surveys on the basis of which declarations are issued by an Authorized Surveyor under the Authorization.

- 4.3 The Authorized Organization shall agree to hold such meeting with the Director as often as may be necessary, and in any event not less than once a year, to discuss any technical issue in relation to the Services with a view to promoting marine safety.
- 4.4 The Authorized Organization shall provide the Director, free of charge, two copies of the Authorized Organization's Rules and Regulations regarding survey of vessels, and a written description of the organization structure of the Authorized Organization in English or Chinese. The Authorized Organization shall notify the Director in writing of any revisions of or amendments to such documents.

5. Quality System and Nominated Surveyors

5.1 The Authorized Organization shall endeavor to satisfy the Director that:-

- (i) The Authorized Organization has accomplished the international standards for qualification of quality assurance and quality control standards including ISO 9001 "(Quality System)" and continues to comply with the requirements of Appendix I-(AO) of the Annex to IMO Resolution A.739 (18) or equivalent acceptable to the Director; and
- (ii) Every Authorized Surveyor has fulfilled the requirements of items 2, 3 and 4A of the Annex to IMO Resolution A.789 (19), and all the relevant requirements stipulated in the Appendix III-(AO) or such standards as accepted by the Director as equivalent.

5.2 The Authorized Organization may nominate only such person who is under the exclusive employment of the Authorized Organization and who is competent to perform the Services to be an Authorized Surveyor. The Authorized Organization shall inform the Director of the policies adopted by the Authorized Organization regarding its employment and nomination of Authorized Surveyors and its system of monitoring the performance of the Surveyors in so far as relevant to the operation of the Authorization. The Authorized Organization shall inform the Director of any changes in such policies.

5.3 The Authorized Organization shall, if required by the Director to do so (with reasons), to withdraw its nomination of any Authorized Surveyor as specified by the Director.

6 Remuneration

Remuneration for any Services is to be settled directly between the Authorized Organization and the party requesting the Services, and the Director is not involved whatsoever.

7. Confidentiality

7.1 The Authorized Organization shall treat as confidential all information supplied by the Government under this Authorization which is designed as confidential by the Government or which is by its nature clearly confidential, provided that this requirement shall not extend to any information which was rightfully in the possession of the Authorized Organization prior to the date of the Authorization or which is already public knowledge or becomes so at a future date (otherwise than as a result of a breach of this condition).

7.2 The Authorized Organization shall not without the prior written consent of the Government at any time either during the course of this Authorization or thereafter divulge any information which the Authorized Organization is required by paragraph 7.1 to treat as confidential to any person except to its own employees and then only to those employees who need to know the same. The Authorized Organization shall ensure that its employees are aware of and comply with these conditions of the Authorization.

7.3 The obligations of the Authorized Organization in this paragraph shall remain in effect irrespective of the expiration of the period as stipulated in paragraph 1 or early revocation of the Authorization under section 7(3) of the Ordinance.

8. Audit Inspection

8.1 From time to time the Director (or authorized officer) may inspect any vessel in respect of which an Authorized Surveyor is carrying out or has carried out the Services for the purpose of ensuring that both the Authorized Organizations and the Authorized Surveyor have complied with these conditions of Authorization. The results may be discussed at meetings with the Authorized Organization and the relevant Authorized Surveyor. The Director may take appropriate action as he considers necessary.

8.2 The Director (or his authorized officer) may conduct audits on Quality System of Authorized Organisations as and when necessary.

9. Amendments

Any amendment to these Conditions of Authorization (including the Appendices) will become effective upon notification given by the Director to the Authorized Organization.

[Remark : The “Indemnity” arrangement or requirement is pending for further review and decision at a later date.]

List of Appendices

Appendix I –(AO) Delegation of Survey (for Recognized Classification Societies)

Appendix I (Pro) Programme for the survey delegation of low risk local vessels

Appendix II-(AS/AO) - Guidelines for Authorized Surveyors / Organizations

Annex 1 Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels

Annex 2 Declaration of Survey and Record of Construction and Equipment –for Initial Survey/ Periodical Survey of A Vessel (Samples)

Annex 3 Outline Details on the Formation of Assessment Panel and Disciplinary Panel

Annex 4 Marine Department Relevant Contact Information

Appendix III-(AO) Qualification Requirements and Records of Surveyors Nominated by an Authorized Organization

Appendix IV-(AO) Record of Surveyor Nominated by Authorized Organization

Appendix V-(AO) Guidance Notes Governing the Quality System of Authorized Organization Committee in undertaking Survey and Declarations for Certification of Local Vessels

DELEGATION OF SURVEYS (for recognized Classification Societies)**1. Scope of Delegation of Surveys**

1.1 The Authorized Organizations of recognized Classification Societies are authorized under section 7(1) of the Ordinance to carry out the following statutory surveys on behalf of the Director in respect of the classes and types of Hong Kong locally licensed vessels as indicated in the table and paragraphs below other than high risk vessels ^(Note 1*). *Programme for the survey delegation of low risk local vessels is referred to Appendix I- (Pro).*

(i) Vessels not classed with Classification Societies :-

Class –type-category of vessels for delegation of survey ^(Note 2 & 3)	Initial Survey	Periodical Survey	Final Survey	Plan Approval
(a) Class II dumb lighters and hopper barges	1 st Phase	1 st Phase	1 st Phase	2 nd Phase
(b) Class III steel or GRP fishing vessels	3 rd Phase	1 st Phase	1 st Phase	3 rd Phase
(c) Class II category A vessels	3 rd Phase	1 st Phase	1 st Phase	3 rd Phase
(d) All Class II and Class III vessels	4 th Phase	4 th Phase	4 th Phase	4 th Phase

(ii) For vessels classed with Classification Societies

Classification Societies are delegated with responsible for surveys of structural requirements for all types of vessels that are classed with them, including high risk vessels and some agreed inspection items of Class I vessels on case by case basis.

Note: (1) * high risk vessels mean all Class I vessels, oil tankers, dangerous goods carriers and noxious liquid substances carriers and any Class II vessels intended for carrying cargoes of hazardous nature.

(2) Starting date for the programme on the delegation of surveys will be promulgated by the Director as required.

(3) For the transitional period, Marine Department will conduct final surveys for vessels constructed or repaired outside Hong Kong waters. Such requirement will be reviewed after completed various phases of survey delegation.

2 Applicable Instruments for Surveys

Authorized Surveyors shall carry out the statutory surveys for which they are delegated in accordance with the relevant Code of Practice and legislation requirements as indicated in the following main instruments as amended from time to time :

- 2.1 Merchant Shipping (Local Vessels) Ordinance, Cap. 548;
- 2.2 Merchant Shipping (Local Vessels)(Safety Survey) Regulation, Cap.548.;
- 2.3 Merchant Shipping (Local Vessels)(Fees) Regulation, Cap. 548; (*for reference only*)
- 2.4 Code of Practice – Safety Standards for Class I, II and III Vessels (and those relevant statutory legislation indicated therein).
- 2.5 Code of Practice – Safety Standards for Class IV Vessels (and those relevant statutory legislation indicated therein)

3. Issue of Declaration of Survey

Upon satisfactory completion of the statutory survey of a vessel, the nominated surveyor of the Recognized Organization shall submit a declaration of survey in the prescribed form and, where practicable, survey reports to the Director. Certificate of Survey will be issued by Marine Department to the owner of the vessel accordingly.

(Note : This Annex on authorization of surveys would be revised as required and will be published in the Marine Department Notice.)

Programme on the survey delegation of low risk local vessels

<i>1st and 2nd Stages</i>	Survey Delegation Phases & Expected Commencement	Class /Category/Types of Vessels %	Type and Scope of Delegated Survey (see Remark (a) and Remark(c))
<i>1st Stage survey delegation (see Remark(b)(i))</i>	<i>1st Phase</i> (from commencement date of LVO, in around mid of 2005)	(1) Dumb lighter, Hopper barge (some of the Class II-B)	(i) New constructions / Initial surveys (including final survey) (ii) All periodic surveys (including final survey)
		(2) WT+CL vessels and Steel /GRP fishing vessels (Classes II-A and III-A)	(i) New constructions / Initial surveys (including final survey) (ii) All periodical survey (including final survey)
<i>2nd Stage survey delegation (see Remark (b)(ii))</i>	<i>2nd Phase</i> (Half year after 1 st Phase)	(1) Dumb lighter, Hopper barge (some of the Class II-B)	All plan approval for new-built (for new licences) and modifications (existing vessels)
	<i>3rd Phase</i> (Half year after 2 nd Phase)	(2) WT+CL vessels and Steel /GRP fishing vessels (Classes II-A and III-A)	All plan approval for new-built (for new licences) and modifications (existing vessels)
	<i>4th Phase</i> (One year after 3 rd Phase)	(3) All AT vessels (Classes II-B and III-B)	All delegated survey work, including plan approval

LVO = Merchant Shipping (Local Vessels) Ordinance, Cap 548

% = Except high risk vessels (such as those vessels transporting more than 12 passengers, or carriage of petroleum products, dangerous goods or noxious liquid substances etc.)

WT = Western Type vessels (Including steel / Glass Reinforced Plastics GRP hull cargo or fishing vessels, tug boats and transport/ work boats carrying less than 12 passengers. ^[Note] etc. Under LVO, these are Class II(A) and Class III(A) vessels.)

CL = Classed cargo vessels of WT (Including those dry cargo vessels transporting not more than 12 passengers ^[Note], carriage of petroleum products, dangerous goods or noxious liquid substances etc.. Survey delegation of this type of vessels would be only on construction survey and relevant plan approval, which are the present practices for many years. Under LVO, these are Class II(A) vessels.)

AT = Asiatic Type (Including wooden hull dry cargo or fishing vessels, dumb-lighters and hopper barges, and GRP fishing sampans. Under LVO, some of these vessels are Class II(B) and Class III(B).)

[Note]: Subject to licensing permission and compliance of relevant design and construction requirements., i.e. dry cargo vessels, tug boat, transportation / work boats may be permitted to carry not more than 12 passengers .

Remark on scope of survey delegation

- (a) For those initial licensing surveys or periodic surveys conducted outside Hong Kong (new or existing vessels), audit inspections, some of initial survey items and their final surveys are to be conducted by MD normally in Hong Kong. This arrangement will be reviewed within the 4th Phase.
- (b) (i) In 1st stage survey delegation program, MD would approve plans for new-built or initial licence vessels and conduct one on-site initial survey on key items including inclining test, some essential inspections / testing and audit (require about 2-3 days) followed by final survey to be conducted normally in Hong Kong (require about 1-2 days).
(ii) In 2nd stage survey delegation program, MD would involve for new-built or initial licence vessels only in final survey and audit normally in Hong Kong (require about 1-3 days). MD would audit plans approved by authorized surveyors/ organizations /recognized authorities in office before conducting onboard survey/ audit. Having prior arrangement with MD, owners may choose MD to conduct one on-site initial survey and audit during transition period. This arrangement will be ended when the 4th Phase is completed.
- (c) Upon completion of the above relevant surveys and submission of the declaration of surveys by authorized surveyors/organizations /recognized authorities or MD officers, Certificate of Survey will be issued by MD.



Guidelines for Authorized Surveyors / Organizations

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

- Notes:(1) Nominated surveyor of an Authorized Organization when authorized by the Director is also termed as Authorized Surveyor in the contexts of these documents..
- (2) Annexes 1-a and 1-b and Annexes III-c-1, III-d and III-e are re-grouped into Document of Conditions of relevant AS grouping. Those Annexes are re-numbered accordingly
- (3) Numbering of Annexes are revised to Appendices and Annexes in May 2003.
- (4) (4) The guidelines apply to Authorized Surveyors, Authorized–Organizations and their nominated surveyors in the same manner.
- (5) The revised draft in December 2004, minor amendments and editorial changes were made to paragraphs 1.3, 1.5, 1.6, 1.7, 1.8, 1.10, 1.11 and 3.2, and also in Annexes as required and highlighted for reference.

[Note : The final draft this document shall be subject to legal vetting by Department of Justice.]

Marine Department of HKSAR

xxxx / 2005

Guidelines for Authorized Surveyors / Organizations
(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

The following guidelines and requirements are to be observed by all Authorized Surveyors (including all the Authorized Surveyors/ Organizations and their nominated surveyors acting as Authorized Surveyors under section 7 of the Ordinance) :-

1. Duties, Responsibility and Declarations

- 1.1. Authorized Surveyors are required to be familiar with the legislation requirements, the recognized engineering standards and codes applicable to the design, construction, inspection and testing of different type of vessels covered under the Ordinance relevant to the scope of the authorization of surveys.
- 1.2. Authorized Surveyors shall comply with the guidelines, requirements, codes and procedures issued by Marine Department in connection with statutory surveys of locally licensed vessels..
- 1.3. The work scope of Authorized Surveyors in respect of any vessel in existing licensing or intended for licensing, which is specified in Appendix I-(AS) or (AO), may cover part or all of the following :-
 - (i.) approval of plans and other technical documents;
 - (ii.) conducting initial and periodical inspections;
 - (iii.) issuing of Declaration of Survey to the Marine Department(‘Department’) after the relevant inspections of a vessel have been completed. (Note :- Plans for any proposed modification of the vessel should be properly approved prior to the inspection of the modification and the issue of the Declaration of Survey to the Department); and
 - (iv.) performing any other work authorized by Director of Marine.
- 1.4. The work scope of authorized surveyors must accord with the extent of statutory surveys authorized by Director of Marine as promulgated in the Marine Department Notice from time to time.
- 1.5. . Authorized Surveyors may serve as technical consultants to vessel owners to ensure the proper maintenance and safe use of their vessels in accordance with the requirements of the Ordinance.
- 1.6. In the case of the delegation of certain survey items by a responsible designated Authorized Surveyor (engaged by an owner of the vessel under the form on ‘Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels” in Annex 1) to another Authorized Surveyor, the final responsibility shall be held by the responsible Authorized Surveyor to ensure the full completion and satisfaction of the survey work. For certain survey items, e.g. NDT or steel material test, the Authorized Surveyor may engage certain reputable companies working under his supervision.

- 1.7. Authorized Surveyor who undertakes to conduct inspections for the purpose of issuing an intended Certificate shall complete the “Notice of Engagement” form as shown in Annex 1 given by owner of a local vessel. He shall indicate in the form the names of any other Authorized Surveyors and/or organizations who who may involve in the survey work. The owner or the undertaking Authorized Surveyor/ Organization should send the completed “Notice” of Annex 1 by facsimile to Local Vessels Safety Section of Marine Department. MD will assist in releasing information for the concerned vessel as necessary. The notification by such “Notice“ to the Department should be as soon as possible but no less than [three working days] before the commencement of the concerned survey.
- 1.8. Upon satisfactory completion of a survey work, the responsible Authorized Surveyors shall complete and submit the Declaration of Survey in the relevant specified form (refers to Annex 2) to the Director (together with the form “Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels” if there are additional survey engagement) as soon as possible but no later than [seven working days]. A copy of the above mentioned Declaration of Survey shall also be faxed to Marine Department and a copy given to the owner of the vessel. Another copy is to be kept on board until the relevant certificate is issued by Director of Marine. The Certificate of Survey shall be ready for collection by the Owner of the vessel usually within [three working days] upon the declaration is received and found in order.
- 1.9. Except as provided in paragraph. 1.6 above, all documents must be signed by the responsible Authorized Surveyor in his individual capacity and all inspections must be conducted personally by the Authorized Surveyors.
- 1.10. The Authorized Surveyor/ Organization shall maintain a complete record of survey engagements by owners, declarations, calculations, survey reports, issue or cancellation of Certificates (if any), and such other documents as are necessary to establish that the Authorized Surveyor has acted in conformity with the relevant Regulations and Codes of Practice. Such records shall be maintained for at least six years.
- 1.11 Any dispute relating to the interpretation of the Codes of Practice or Merchant Shipping (Local Vessels) (Safety Survey) Regulation shall be referred for a final ruling to the Director (for the attention of the General Manager of Local Vessels Safety Branch, Marine Department). Ruling given by the Director shall be final.

2. Access to information

In accordance with the “Prevention of Copyright Piracy Ordinance, Cap. 544”, the author of the drawings / approval documents submitted to Marine Department would possess the copyright. The Department will not copy any drawings / approval documents to third party, including owner of the vessel or an Authorized Surveyor without prior consent of the concerned author. Any request from Authorized Surveyor for information on records held by Marine Department, will be dealt with in accordance with the procedures set out in the Code on

Access to Information, which is available in the Government web-site www.info.gov.hk/access/. Particular attention should be paid to the requirements in paragraphs 1.20 to 1.23 in the said Code regarding the handling of third parties information. Personal data of individual clients of the Authorized Surveyor is protected under “Personal Data (Privacy) Ordinance, Cap. 486”. Details of the Ordinance is available via Government web-site: www.justice.gov.hk

3. Avoidance of conflict of interest

- 3.1 Prevention of Bribery Ordinance, Cap. 201 (PBO), Government servants are subject to Sections 3, 4 and 10 of the PBO while staff of public bodies are subject to Section 4. As for the private sector, section 9 of the PBO helps the business sector maintain a commercial environment conducive to fair competition and efficiency. Authorized Surveyors are expected to observe the relevant provisions and nurture and uphold :-
- (i.) commitment to the rule of law of Hong Kong;
 - (ii.) honesty and integrity above private interests;
 - (iii.) dedication and diligence in serving the industry.
- 3.2 A conflict of interest may arise when the personal interest of an employee is in conflict with his official position or when personal interest of an engineer competes with the interests of his employer or clients. Conflict of interest can distort and cast doubt on the reliability of professional judgment, sow seeds of distrust, cause damage to an organization and in its most serious form result in corruption and undermine public confidence in it.
- 3.3 Authorized Surveyors are expected to maintain high standards of integrity and avoid conflict of interest in situations or circumstances which are elaborated in paragraphs 3.4 to 3.6 or may also be advised by Director of Marine as required when specific situations arise.
- 3.4 Authorized Surveyors / Organizations shall ensure in the exercise of this appointment that all actions are directed towards obtaining an independent assessment and scrutiny of the design and construction of vessels which are presented to them for consideration under the relevant Regulations and Codes of Practice.
- 3.5 An Authorized Surveyor/ Organization shall not undertake the survey of a vessel whilst having an existing responsibility for the design or the construction or operation of the vessel (or sister vessel in production) or having interest, financial or otherwise, in the ownership or commercial management of the vessel.
- 3.6 Information of value may be accessible to authorized surveyors when they provide service to vessel owners. Some information may, on the surface, appear to have little value of interests to the authorized surveyor but may be of value to a third party of competitor. Authorized surveyors are advised to exercise extreme caution to ensure confidentiality of such information.

4. Monitoring, Audit and Disciplinary Action

4.1 Monitoring Mechanism

- (i) The Ordinance places onerous responsibilities on Authorized Surveyors and they must safe guard against inadvertently exposing themselves to situations where their competence or integrity may be brought into question.
- (ii) It is important that all Authorized Surveyors/ Organizations should exercise great care and diligence in the performance of their duties. All submissions by Authorized Surveyors/ Organizations to the Department shall be scrutinized regularly. An officer of the Department may accompany Authorized Surveyors during the survey work as part of the quality audit and to conduct random performance checks on the inspections made by the Authorized Surveyors.
- (iii) Authorized Surveyors are always welcome to seek advice from the Head of Local Vessels Safety Section or General Manager of Local Vessels Safety Branch of the Marine Department.

4.2 Audit

- (i) Marine Department may conduct audits with Authorized Surveyors or Authorized Organizations from time to time to examine implementation practices, procedures and working systems, and to discuss relevant matters for the continuous improvement of the delegation of survey arrangement under this authorization. At the completion of the audit, the Authorized Surveyor/ Organization will be advised in writing of the findings together with recommendations and any required corrective action.
- (ii) The Authorized Organization shall ensure the quality of the delegated functions and surveys of their nominated surveyors. This should be under the monitoring of an Authorized Organization Committee as indicated in the Guidance Notes issued to the Organizations. The audit procedure on an Authorized Organization Committee shall be in accordance with the Guidance Notes.

- 4.3 Any default found on an Authorized Surveyor or nominated surveyor of Authorized Organization will be referred to the person concerned or Authorized Organization for clarification and rectification as required. Lack of satisfactory explanation by an Authorized Surveyor or Authorized Organization in respect of a significant default may be referred for consideration of a Disciplinary Panel which will then consider the case and make recommendation to the Director for any following action to be taken. The formation and composition of the Disciplinary Panel is detailed in Annex 3.

List of Annexes

- Annex 1 Notice of Engagement of Authorized Surveyor / Organization or Recognized Authority for Survey of Local Vessels
- Annex 2 Declaration of Survey and Record of Construction and Equipment –for Initial Survey/ Periodical Survey of a Local Vessel (Samples)
- Annex 3 Outline Details on the Formation of Assessment Panel and Disciplinary Panel
- Annex 4 Marine Department Relevant Contact Information

Notice of Engagement of

Authorized Surveyor/ Organization or Recognized Authority for Survey of Local Vessels

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

To : Marine Department, Local Vessels Safety Section

Fax No.: (852) 2542 4679

(* delete where not applicable, [] tick where applicable)

I, _____, Owner* / Owner's Representative* of the licensed vessel(s) with certificate of ownership number(s) _____, have engaged _____ being an Authorized Surveyor / Organization or Recognized Authority under the Ordinance responsible for the survey work and to make declarations relating to the issue of following certificate(s) or records for Class II / Class III* (A / B *) vessel(s):-

- 1. Initial survey []
2. Periodical survey (a) Assignment of Freeboard Certificate [] (b) Hong Kong Load Line Certificate []
3. Final Survey (a) Certificate of Survey [] (b) Survey Record of Safety Equipment []
4. Others as relevant : _____ []

I seek your assistance to release any records in relation to the vessel's previous surveys to the Authorized Surveyor/ Organization/ Recognized Authority* as indicated above, if the vessels was not surveyed by him previously. (* Yes / No)

I confirm modification has been made to the above vessel since last survey inspection, (*Yes / No) and with approval document. (* Yes / No)

Signature of Owner * or

Owner's Representative* of Vessel(s) _____

Name in block letter: _____

Date : _____

Acknowledge and accepted by:-

Official Stamp of Organization/ Authority

Signature of *Authorized Surveyor / Representative of

*Authorized Organization / Recognized Authority _____

Name in block letters : _____ Date : _____

* Authorized Surveyor(s) or Nominated surveyor(s) of Authorized Organization/ Recognized Authority, if any , involved with the relevant inspections are listed below :-

(Sample)

**Declaration of Survey and
Record of Construction and Equipment
For the Initial Survey of a Local Vessel**

FILE NO.: SD/L-	NAME OF VESSEL:-	CERTIFICATE OF OWNERSHIP NO.:-
PARTICULARS OF VESSEL:-	Category A/B	Class I / II / III
		Type

Part 1 Construction Survey Items

No	Survey Requirements		Date Surveyed	Surveyor	Comment (see detail below)	
	Survey Item	Category of Vessel				
		A				B
1	Mould Loft/GRP Shell Moulding - inspection	✓				
2	Material test - Steel Plate/GRP Polyester Resin (*2)	✓	✓ (*1)			
	Etc.					

Part 2 Final Survey Items

No	Survey Items (*2)	Date Surveyed	Surveyor	Comment (see detail below)
1	Life Saving Appliances - inspection and function test			
2	Fire Fighting Appliances (incl. CO ₂ fixed fire extinguishing installation, emergency fire pump) - inspection and function test			
	Etc.			

Part 3 Record of Equipment and Operational Conditions

Page-1

船隻名稱 Name of Vessel	船隻擁有權證明書號碼 Certificate of Ownership No.
級別 Class	類別 Category.
全長度 (米) Overall Length (m)	最闊 (米) Extreme Breadth (m).
登記長度 (米) Registered Length (m)	總噸 Tonnage Gross.....
	船隻擁有權證明書號碼 Certificate of Ownership No.
	類型 Type
	船深 (米) Depth (m).....
	船體材料 Hull Material.....
	淨噸 Tonnage Nett.
	長 x 闊數 L x B numeral

(1) 此船已裝置下列救生及無線電設備：

That the vessel is provided with the following life saving appliances and radio equipment :

-機動救生艇 motor lifeboats ()
-氣脹救生筏 inflatable liferafts ()
-救生浮具 buoyant apparatus ()
-成人救生衣 adult lifejackets
-小童救生衣 child lifejackets

總乘客人數
Total number of passengers

最高船員人數
Max. Number of crew

最高人數
Maximum number of persons

Etc.

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Page-2

船東及有關資料 Ownership and Related Information:

此船東 Owner of vessel :

地址 Address:

船隻擁有權證明書號碼
Certificate of Ownership No.

開始檢驗週期
Starting Date of Survey cycle

建造年份
Year-Built

首次領牌日期
Date first licensed

主要裝置資料 Particulars of Key Installations

- (1) 此船載有 公噸固定壓艙物。
This vessel has tonnes of permanent ballast onboard. [有 / 沒有] [Yes / No]
- (2) 此船上設有推動系統。
The vessel is fitted with propulsion system. [有 / 沒有] [Yes / No]
- (3) 此船上設有輔助機器。
The vessel is fitted with auxiliary machinery. [有 / 沒有] [Yes / No]
- (4) 燃油艙櫃載量 Fuel Tank Capacity (立方米/ Meter Cube) :[.....], in 在 [.....] 個油艙櫃內。
No. of tanks.

Etc.

Survey Remarks _____

I declare that the above surveys were conducted in accordance with the requirements of the Merchant Shipping (Local Vessels) Ordinance, Cap 548, and relevant regulations, codes and standards as required to my satisfaction. The survey confirms that the structure, equipment, system, fittings, arrangement and material of the vessel and the condition thereof are in all respects satisfactory and that the vessel will in my judgment be sufficient until ⁽¹⁾

Supplement survey reports to be attached, if applicable. [Yes / No]

ORGANISATION/ AUTHORITY OFFICIAL STAMP:

SIGNATURE OF NOMINATED / AUTHORIZED SURVEYOR : _____

NAME OF NOMINATED / AUTHORIZED SURVEYOR : _____

DATE : _____

Note: (1) It is normally not exceeding 12 months, unless obvious deficiencies are found. In such case, the date (usually one to two months) is to be proposed by authorized surveyor or otherwise to be agreed with Marine Department in advance.

(Sample)

Declaration of Survey and
Record of Construction and Equipment
For the Periodical Survey of a Local Vessel

FILE NO.: SD/L-	NAME OF VESSEL:-	CERTIFICATE OF OWNERSHIP NO.:-	
PARTICULARS OF VESSEL:-	Category A/B	Class I / II / III	Type

Part 1 Periodical Construction Survey Items

No	Survey Requirements						Date Surveyed	Surveyor	Comment (see detail below)		
	Survey Item	Class/Category/Type of Vessel	Class IIA, IIIA Vessel			Class I B, II B, III B Vessel					
			1	2	4	1				2	4
1	Hull - external (incl. ship bottom) inspection		✓			✓ (*10)					
2	- internal (excl. oil, water tanks and void spaces) inspection										
3	- internal (incl. oil, water tanks and void spaces) inspection (*2)			✓		✓ (*10)					
4	- gauging thickness of deck, shell and bulkhead plating (*3)			✓		✓ (*10)					
5	Sea Suctions, Discharging Valves - stripped down inspection			✓		✓ (*10)					
	<i>Etc. (Table 2 Items)</i>										

Part 2 Final Survey Items

No	Survey Items (*2)	Date Surveyed	Surveyor	Comment (see detail below)
1	Life Saving Appliances - inspection and function test			
2	Fire Fighting Appliances (incl. CO ₂ fixed fire extinguishing installation, emergency fire pump) - inspection and function test			
	<i>Etc.</i>			

Part 3 Record of Equipment and Operational Conditions

Page-1

船隻名稱 Name of Vessel	船隻擁有權證明書號碼 Certificate of Ownership No.
級別 Class	類別 Category
全長度 (米) Overall Length (m)	最闊 (米) Extreme Breadth (m)
登記長度 (米) Registered Length (m)	總噸 Tonnage Gross.....
	淨噸 Tonnage Nett.
	船體材料 Hull Material.....
	長 x 闊數 L x B numeral

(1) 此船已裝置下列救生及無線電設備 :

That the vessel is provided with the following life saving appliances and radio equipment :

.....機動救生艇 motor lifeboats ()	總乘客人數 Total number of passengers
.....氣脹救生筏 inflatable liferafts ()	最高船員人數 Max. Number of crew
.....救生浮具 buoyant apparatus ()	最高人數 Maximum number of persons
.....成人救生衣 adult lifejackets	
.....小童救生衣 child lifejackets	

Etc.

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Page-2

船東及有關資料 Ownership and Related Information:

此船東 Owner of vessel :

地址 Address:

船隻擁有權證明書號碼 Certificate of Ownership No.	建造年份 Year-Built
開始檢驗週期 Starting Date of Survey cycle	首次領牌日期 Date first licensed

Etc.....

主要裝置資料 Particulars of Key Installations

(1) 此船載有 公噸固定壓艙物。 [有 / 沒有]
This vessel has tonnes of permanent ballast onboard. [Yes / No]

(4) 此船上設有推動系統。 [有 / 沒有]
The vessel is fitted with propulsion system. [Yes / No]

(5) 此船上設有輔助機器。 [有 / 沒有]
The vessel is fitted with auxiliary machinery. [Yes / No]

(4) 燃油艙櫃載量 Fuel Tank Capacity (立方米/ Meter Cube) :[____], in 在 [____] 個油艙櫃內。
No. of tanks.

Etc...

Etc...

[Initials of Surveyor in the relevant boxes and bottom right of each page]

Survey Remarks _____

I declare that the above surveys were conducted in accordance with the requirements of the Merchant Shipping (Local Vessels) Ordinance, Cap 548, and relevant regulations, codes and standards as required to my satisfaction. The survey confirms that the structure, equipment, system, fittings, arrangement and material of the vessel and the condition thereof are in all respects satisfactory and that the vessel will in my judgment be sufficient until⁽¹⁾

Supplement survey reports to be attached, if applicable. [Yes / No]

ORGANISATION / AUTHORITY OFFICIAL STAMP:

SIGNATURE OF NOMINATED / AUTHORIZED SURVEYOR : _____

NAME OF NOMINATED / AUTHORIZED SURVEYOR : _____

DATE : _____

Note: (1) It is normally not exceeding 12 months, unless obvious deficiencies are found. In such case, the date (usually one to two months) is to be proposed by authorized surveyor or otherwise to be agreed with Marine Department in advance.

**Outline Details on the Formation of Assessment Panel
and Disciplinary Panel**

In pursuing the action under Sections 7(1) to 7(4) of the Merchant Shipping (Local Vessels) Ordinance, Cap. 548 (hereafter to be referred as 'Ordinance') on the authorization and monitoring of authorized surveyors, Assessment Panel and Disciplinary Panel shall be formed as and when required. These panels shall make recommendations as required for the consideration of Director of Marine in his actions on authorization, suspension and revocation.

1 **Assessment Panel**

The Assessment Panel would meet as required and consider application cases for the appointment of authorized surveyors and to make appropriate recommendation to Director of Marine for his consideration on the authorization.

The Assessment Panel shall consist of following members:-

- (a) General Manager of Local Vessels Safety Branch, Chairman
- (b) Senior Surveyor of Local Vessels Safety Section;
- (c) Surveyor of Local Vessels Safety Section.

2. **Disciplinary Panel**

The Panel would consider reported cases of incompetence, neglect or misconduct on the performance of an Authorized Surveyor. As for default cases of Registered Professional Engineers appointed as Authorized Surveyor, these can be referred by the Chairman of the Panel to the Engineers Registration Board (ERB) under the Engineers Registration Ordinance, Cap 409. The Panel would review the result of the ERB of each case for making the appropriate recommendation to the Director of Marine for his consideration. Members of the Panel would have to declare conflict of interest in a standard form at the beginning of each meeting involving disciplinary action. The Disciplinary Panel shall consist of following members:-

- (a) General Manager of Local Vessels Safety Branch, Chairman
- (b) Senior Surveyor of Local Vessels Safety Section;
- (c) One representative from independent maritime professionals or professional organizations;
- (d) One representative from Hong Kong Institution of Engineers (a person who is currently not involved in inspection or survey of vessels as main business);
- (e) One representative from vessels owners;
- (f) One representative from tertiary institutions.

There shall be not more than 3 persons appointed from each of the category in 2(c) to 2 (f)

3. **Appeal Procedure**

Under section 87 of the Ordinance, an appeal may be made to the Administrative Appeal Board under Administrative Appeal Ordinance, Cap. 442 against a decision of the Director :-

- (a) to refuse to authorize under section 7 a person as a surveyor for the purpose of the Ordinance
- (b) to attach conditions to an authorization under section 7;
- (c) to revoke an authorization under section 7.

Marine Department Relevant Contact Information

1. General Manager, Local Vessels Safety Branch

Address: Marine Department
Room 2202A, 22/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2854 9416

Tel. No.: (852) 2852 4406

2. Local Vessels Safety Section

Address: Marine Department
Room 2308, 23/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2542 4679

Enquiry No.: (852) 2852 4444

Tel. No. of Section Head : (852) 2852 4430

3. Marine Industrial Safety Section

Address: Marine Department
Room 2315, 23/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2543 7209

Enquiry No.: (852) 2852 4477

Tel. No. of Section Head : (852) 2852 4472

4. Licensing and Port Formality Section

Address: Marine Department
Central Marine Office
Room 308, 3/F, Harbour Building
38 Pier Road, Central

Fax No.: (852) 2545 8212

Enquiry No.: (852) 2852 3081 -3

Tel. No. of Section Head (852) 2852 4455

5. Vessel Traffic Centre of Marine Department

Fax No.: (852) 2543 7209

Tel. No.: (852) 2233 7801

**Qualification Requirements and Records of Surveyors Nominated
by a Recognized Classification Society**

1. Requirements in respect of Surveyors nominated by a Recognized Classification Society

- (a) Qualification : Degree in Mechanical or Marine Engineering or Naval Architecture or Ship Science or equivalent as recognized by Director of Marine; and
- (b) Experience : The applicant shall have at least 4 years maritime engineering practical experience^(Note 1) with progressing responsibility in which he :-
- (i) shall have at least 1 year accumulated relevant practical experience in connection with the installation, testing, inspection or survey of vessels, or ;
 - (ii) shall have gained at least 1 year accumulated relevant practical experience^(Note 2) within 4 years maritime engineering practical experience preceding the date of his application, as the Assessment Panel considers appropriate, or ;
 - (iii) shall have gained at least 4 years accumulated relevant practical experience^(Note 2) as the Assessment Panel considers appropriate.

Note 1: The “marine engineering practical experience” should be those experience on marine engineering and naval architecture, including marine engineering/system maintenance and repairing, ship design, shipyard practices, structural construction and repairing / maintenance.

Note 2: The “relevant practical experience” can be a combination of experience in (i) the new building construction, testing, inspection or survey of vessels, and (ii) technical services, repairing, maintenance or operation inspection of vessels or maritime engineering practice.

2. Submission of Records for Nominated Surveyors :

2.1 A Recognized Classification Society shall require :-

- (a) the nominee to complete a record form duly signed by him;
- (b) the completed form to be duly signed by a responsible person of the Recognized Classification Society to confirm compliance with requirements and suitability;

2.2 The Recognized Classification Society shall ensure the submission of the completed nominee’s record or form together with the documentary evidence to indicate compliance with the requirements given in paragraph 1 above to the Director. No delegated surveys on local vessels to be handled by the newly nominated surveyor unless an acknowledgment is received from the Director.;

3. Validity :

The validity period of the appointment shall be [three] years unless revoked under section 7(3) of the Ordinance.

[The validity period is under review in consultation with D of J]

**RECORD OF SURVEYOR
NOMINATED BY AUTHORIZED ORGANIZATION**

(Issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548)

(Completed form shall be submitted to Director of Marine (Attention: Senior Surveyor of Ships/ Local Vessels Safety Section), Marine Department, 23/F , Harbour Building, 38 Pier Road, Central, Hong Kong.)

Notes:

- (a) Please complete every item in block letters and in black.
- (b) Please attach photo-copies of I.D. Card and documentary evidence of professional qualifications and other relevant information as required.
- (c) A separate sheet may be used with this application form if space prescribed in the form is insufficient.
- (d) *Delete whichever is inapplicable.
- (e) **Personal Data :** The personal data collected by means of this form will be used by the Government for the following purposes:(a) to assess your qualifications in order to determine your eligibility to become Authorized Surveyor that you apply for; and (b) to facilitate future communication between the Government and you.

<p>Photograph (approx. 4cm x 5cm)</p>
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Personal Information

1.	Name (Surname first): _____	Sex : _____
2.	Date of Birth : _____	Age : _____
3.	Nationality : _____ Identity Card or Passport No.: _____	
4.	Office Contact Address : _____ _____	
5.	Office Tel. No.: _____	Office Fax No.: _____
6.	Academic and Professional Qualification with Year obtained : _____ _____	
7.	_____	
	Dates and experience gained in maintenance or operation inspection of vessels :- _____	
8.	_____	
	Dates and experience gained in installation, testing , inspection or survey of vessels. _____	
9.	_____	
	Have you ever been disciplined and/or subjected to revocation / suspension or de-registered by any Government authority or engineering institution ? *Yes/No If yes, please give details.	

Declaration: The undersigned declares that the above submitted information details are true and correct. (This declaration is required for clarification with Department of Justice.)

Responsible Name of Person & Signature of Authorized Organization:-

_____ Date: _____

Name & Signature of the Nominated Surveyor

_____ Date: _____

Guidance Notes Governing the Quality System of Authorized Organization Committee in undertaking Survey and Declarations for Certification of Local Vessels

1. An Authorized Organization (parent body) (AO-PB) shall elect or appoint a Committee, which can be an existing Committee, to oversee the survey and declarations for certification of vessels, for the purpose of applying the Ordinance, relevant Regulations and Codes as listed in Appendix I-(AO) and the guidelines in Appendix II-(AS/AO) of the Authorization Document.
2. The Committee shall be responsible for the overseeing all the functions, related to the survey and declarations for certification of small vessels, entrusted to it by the Director. The Chairman of the Committee shall inform the Director of its composition of members and rules of operation at commencement, and on each occasion of its membership renewal. Copy of minutes of each meeting of the Committee shall be submitted to the Director.
3. In designating a nominated surveyor to carry out the survey of vessels in compliance with the Ordinance, relevant Regulations, Codes and the guidelines mentioned in paragraph 1 above, the Committee shall ensure that the person is properly qualified and experienced to carry out such a survey. These should be properly recorded in the format prescribed in Appendix IV-(AO) in accordance with the requirements specified in Appendix III-(AO). Each of the nomination record is required to be submitted to the Director.
4. The Committee will ensure in the exercise of this appointment that all its actions are directed towards obtaining an independent assessment and scrutiny of the design and construction of vessels which are presented to it for consideration under the relevant Regulations and Codes of Practice listed in Appendix I of the Authorization Document .
5. The Committee shall not authorise anyone to carry out the survey of a vessel if that person has an existing responsibility for the design or the construction or operation of the vessel or a sister vessel in production or if he has any interest financial or otherwise in the ownership or commercial management of the vessel or a sister vessel.
6. The Authorized Organization shall inform the Department if, for any reason, a nominated surveyor designated to carry out survey on its behalf is later considered to be unsuitable by the Committee and whose nomination has been cancelled.
7. The Committee shall advise the Department of any proposed addition or amendment to its Rules, or of the issue of any new instructions or guidelines that relate to the survey of vessels under the Codes of Practice.
8. Audit
 - 8.1 Under the conditions of the authorization of the Authorized Organizations, Government Officers appointed by the Director will conduct periodic audits of the work of the Authorized Organization undertaken on its behalf. The guidelines set out in this document shall be followed during such an audit.

8.2 It is not intended that the Department will examine in depth the particular activities of the Authorized Organizations except where necessary to test observations and make a comparison between specific actions taken by them and what the Department 's judgments suggest is necessary. The main objectives will be to:

- (i) observe the methodology adopted in order to verify that the Authorized Organization is discharging its duties and responsibilities in accordance with the requirements of the authorization of which this annex is a part;
- (ii) ensure an oversight is being maintained to the degree necessary to fulfil the Department's statutory mandate; and
- (iii) ensure a consistent and uniform application of the relevant Regulations and Codes of Practice.

8.3 The audit will examine procedures, practices, systems and the instructions issued to nominated surveyors of the Authorized Organization for completeness, clarity, accuracy and implementation. In particular the audit team will check: -

- (i). the documentation on the Authorized Organization;
- (ii). that internal circulars, instructions and guidelines show that the delegated work is carried out in accordance with the Codes of Practice;
- (iii). the qualifications and relevant expertise of those engaged in approval of documents and stability calculations to ensure they possess qualifications and expertise appropriate to the work involved;
- (iv). that circulars or instructions provided to nominated surveyors correctly interpret and apply the requirements of the Codes, especially with regard to complex or novel situations;
- (v). the system for tracking, signing and filing incoming and outgoing documents and correspondence and the retention period for various types of correspondence and reports;
- (vi). reports whether in the form of examination reports, letters or written notes which describe a complete review, Certificates, checklists, calculations, etc., to ensure they represent an objective assessment of the material being reported on;
- (vii). how owners' complaints about quality of service are investigated; and
- (viii). that sufficient plans, drawings, specifications, reports and other documents and information have been requested to enable an assessment that the relevant Regulations and Codes have been complied with.

8.4. At the completion of the audit, the Authorized Organization will be advised in writing of the findings together with recommendations and agreed corrective action.