

**PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE**

**AN OUTLINE ON THE DELEGATION OF SURVEY OF LOCAL VESSELS UNDER THE NEW LOCAL VESSEL ORDINANCE**

**1 Purpose**

- 1.1 This paper is to seek members' views on the proposed plan regarding delegation of survey work of low risk locally licensed vessels.

**2 Authorization of Surveyors**

- 2.1 Section 7 of the new Merchant Shipping (Local Vessels) Ordinance (hereafter referred as 'LVO') allows Director of Marine to authorize surveyors to undertake inspection of locally licensed vessels.
- 2.2 In 1992 this Committee had agreed that the survey for all local vessels except certain "high risk" vessels (i.e. vessels which carry large number of passengers or cargoes of hazardous nature) could initially be delegated to the recognized classification societies (hereafter referred as 'Authorized Organization (AO)') and agreed to extend further when experience gained. Delegation of some of survey items to the recognized classification societies and Mainland authorities ( The latter are the Guangdong Maritime Safety Administration (中華人民共和國廣東海事局) and the Register of Fishing Vessel of People's Republic of China (中華人民共和國漁業船舶檢驗局) ) began in the mid nineties to meet owners' needs on a case by case basis, in which Marine Department (MD) has gained good experience.
- 2.3 As an extension of the delegation, this Committee agreed in 2000 to set up a Working Group (WG) to study the inclusion of the Registered Professional Engineer (Marine & Naval Architecture) as authorized surveyor (hereafter referred as 'Authorized Surveyor (AS)'). In 2002, the Committee was informed that the WG had proceeded to discuss and work out details on authorization and monitoring etc.. Also, based on the fact that the above two Mainland authorities have been satisfactorily carrying out some of the survey work on case by case basis on MD's behalf for a number of years, the Committee, in 2002, further agreed in principle to include these two Mainland authorities as authorized surveyor (hereafter jointly named as 'Recognized Authority (RA)')

2.4 According to the LVO, the authorization of surveyors of their suitability covers consideration on their qualification/ discipline, training, experience, skills and knowledge that are relevant to the works and duties of an AS/AO/RA. The duties of AS/AO/RA, procedures and criteria for the appointment and monitoring are set out in relevant appointment/ guiding documents. Latest drafts of documents were submitted to Department of Justice for comment and pending for finalization. List of AS/AO/RA will be published in the Marine Department Notice.

### **3. Proposed Programme on Delegation of Survey**

3.1 Details of the programme are shown in the Annexes I and II attached to this paper. It is proposed wider delegation of survey of local vessels be formally implemented in phases upon the enforcement of the LVO with a view to achieving an effective management system on the safety control of local vessels.

3.2 To ensure effective monitoring and quality of delegated survey works performed by AS/AO/RA are maintained, MD will implement measures as outlined in the quality assurance system indicated in Annex III.

### **4. Advice Sought**

4.1 Members are invited to comment and endorse that all plan approval and survey of all low risk local vessels be delegated to the abovementioned AS/AO/RA in phases upon the enforcement of the LVO as proposed in this paper.

Marine Department  
Hong Kong S.A.R. Government  
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## Proposed Programme on Delegation of Survey

### **Present Survey Arrangement**

1. Presently the Marine Department (MD) is responsible for the plan approval and survey of local commercial vessels licensed/intended to be licensed. Any vessel issued/to be issued with a Certificate of Survey or a Certificate of Inspection (Western Type Vessel) (jointly referred as 'WT Vessel ' in Annex II ) and any dumb lighter or hopper barge is required to: -
  - (i) during initial survey
    - (a) submit the appropriate plans and relevant data of vessel for approval;
    - (b) survey in the building yard while under construction (referred as 'new construction/initial survey' in Annex II ); and
    - (c) survey afloat for the inspection of the vessel's general condition, safety equipment, etc. (i.e. 'final survey').
  - (ii) during periodical survey
    - (a) survey in the ship repair yards for the inspection of the vessel's internal and external structures; and
    - (b) final survey afloat in the manner as described in para. 1 (i)(c).
2. Any vessel other than of para. 1, which is presently issued/to be issued with a Certificate of Inspection - Local Craft (referred as 'AT Vessel' in Annex II) is required to be surveyed afloat in the manner as described in para.1 (i)(c) during the initial survey or the periodical survey.
3. The periodical surveys mentioned in para. 1 (ii) and 2 are conducted annually, biennially or triennially depending on the type of vessel/certificate issued/survey. For the completion of the required surveys, it will normally require around 3 visits for each vessel stated in para. 1; and around 2 visits for each vessel stated in para. 2 above. Each visit would usually take about 2 to 3 days
4. In addition to the above, the MD is also responsible for the plan approval and inspection for any intended modification carried out on existing local vessels.

## **Proposed Programme on Delegation of Survey**

5. Consideration has been given to the following factors when proposing options on various stages/phases for survey delegation:
  - (i) responsibilities for the surveys can be clearly distinguished between the parties concerned, i.e. the AS/AO/RA and the MD;
  - (ii) it should be financially viable for the new delegation system to work effectively;
  - (iii) sufficient time should be allowed for the familiarization of the new system for the parties concerned, and;
  - (iv) there should not be great impact on the staff deployment of the MD.
  
6. The scope and implementation schedule of delegation of surveys will be accomplished within around three years (after the enforcement of the LVO) progressing in four phases. The implementation plan on the types of delegation of surveys and its extent in respective to different Classes or Categories or Types of vessels are shown in Annex II. Adjustments in the proposed phases of delegation may need to be made after consultation with parties concerned such as various operator groups and classification societies etc. This would be completed before the scheme is implemented.
  
7. The delegation will cover the plan approval and survey works as indicated in para. 1, 2 and 4 above, including the final surveys. Upon completion of the above relevant surveys and submission of the declaration of surveys by AS/AO/RA or from MD officers, Certificate of Survey will be issued by MD. For those initial or periodic surveys conducted outside Hong Kong (for new or existing vessels), the final surveys will be carried out by MD officers in Hong Kong during the transition period.
  
8. During the implementation of various phases of the delegation of surveys, MD would closely monitor and assess the effectiveness of the delegated works. To ensure smooth survey service to owners during each delegation phase, MD officers may carry out the relevant surveys of the vessel on request of owner with appropriate fees paid and will issue Certificates of Survey upon survey completion. However, MD may stop in providing such survey service if survey demand diminishes to a low level.

## Programme for the survey delegation of low risk local vessels

1 <sup>st</sup> and 2 <sup>nd</sup> Stages	Survey Delegation Phases & Expected Commencement	Class /Category/ Types of Vessels %	Type and Scope of Delegated Survey ( see Remark (a) and Remark(c) )
1 <sup>st</sup> Stage survey delegation (see Remark(b)(i))	1 <sup>st</sup> Phase (from commencement date of LVO, in around later half of 2004)	(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 <sup>nd</sup> Stage survey delegation (see Remark (b)(ii))	2 <sup>nd</sup> Phase ( Half year after 1 <sup>st</sup> 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 <sup>rd</sup> Phase ( Half year after 2 <sup>nd</sup> Phase )	(2) WT+CL vessels and Steel /GRP fishing vessels (Classes II-A and III-A)	(i) All plan approval for new-built(for new licences) and modifications (existing vessels) (ii) New constructions / Initial surveys ( including final survey)
	4 <sup>th</sup> Phase (One year after 3 <sup>rd</sup> 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. <sup>[Note]</sup> 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 <sup>[Note]</sup>, 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 4<sup>th</sup> Phase.
- (b) (i) In 1<sup>st</sup> 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 2<sup>nd</sup> 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 4<sup>th</sup> 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.

**QUALITY ASSURANCE SYSTEM ON  
DELEGATED SURVEYS OF LOCAL VESSELS**

**1. Introduction**

From time to time, officers appointed by the Director will conduct monitoring inspections of Hong Kong licensed vessels for the purpose of checking the survey work delegated to Authorized Surveyor (AS) or Authorized Organizations (AO) or Recognized Authorities (RA), with a view to ensuring their full compliance with requirements of the Merchant Shipping (Local Vessels) Ordinance, Cap 548, and relevant regulations, codes and standards as required.

**2. Quality Assurance System**

**2.1 Quality Assurance Visits and Vetting**

(i) Marine Department officers will make visits or meet AS or AO or RA at regular interval, say not exceeding 2 years, to examine their implementation practices, procedures and working systems; and to discuss relevant matters to ensure continuous improvement of the delegation of survey arrangement under the authorization. MD officers may accompany ASs or nominated Surveyors of AO or RA during the survey work as part of the quality assurance.

(ii) For vessel design plans approval performed by AS or AO or RA, MD will regularly conduct checking/ vetting of key plans / drawings and results will be recorded. Any rectification needed to be taken by the concerned AS or AO or RA, Marine Department will draw to their attention and necessary follow-up action.

**2.2 Monitoring Inspections**

Marine Department officers will conduct random inspections on the surveys of vessels performed by the AS or AO or RA as required to ensure their performance quality. It is intended to randomly inspect about 10% to 20% of the delegated vessels every year. The inspection will be conducted (usually soon after AS or AO or RA completed the inspection ) and guided by using a check list “Record of Quality Assurance Monitoring Inspection on Delegated Work”. The checking on requirements compliance of relevant inspection items would be based on their conditions, survey reports, inspection reports or maintenance records etc. as available. In some cases, AS or AO or RA may be required to give clarification or consider improvement. Examples of essential areas and items which require closer attention in the monitoring are shown in the Appendix.

**2.3. Action Considered by Director**

Any default found on an AS or nominated Surveyor of AO or RA will be referred to the surveyor concerned or AO / or RA for clarification and rectification as required. Failure in explaining any serious default found on an AS or nominated Surveyor will be raised for consideration of disciplinary action in accordance with the conditions specified in the authorization document. Such outcome or recommendation will be referred to the Director for any necessary action to be taken.

**Example on Essential Areas and Items for Checking List Relating to  
Quality Assurance Monitoring Inspection on Delegated Work**

(1) Safety Equipment

- (i) serious deterioration of personal lifesaving appliances, survival craft and launching arrangements;
- (ii) substantial deterioration to the extent that it cannot comply with its intended use of fire detection system, fire alarms, firefighting equipment, fixed fire extinguishing installation, ventilation valves, fire dampers, quick closing valves;
- (iii) non-compliance or serious deterioration of navigation lights, shapes or sound signals;
- (iv) failure / deficiency of the radio equipment for distress and safety communication, etc.

(2) Vessel Hull and Construction

- (i) significant areas of damage or corrosion, or pitting of plating and associated stiffening in decks and hull affecting seaworthiness or strength to take local loads; and
- (ii) substantial deterioration or defects in closing devices, hatch closing arrangements and water tight doors, etc.

(3) Machinery / Electrical Installation

- (i) serious deterioration of main propulsion system / installation;
- (ii) serious deterioration of auxiliary system / installation, etc. .

(4) Prevention of Pollution

- (i) serious deterioration or failure of proper operation of the oily-water filtering equipment, the oil discharge monitoring and control system or the 15 ppm alarm arrangements; etc.