

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE (PLVAC)

**CLARIFICATION ON “RECOGNIZED AUTHORITY” MENTIONED
IN THE PLVAC PAPER NO. 6/2004 “OUTLINE ON
THE DELEGATION OF SURVEY OF LOCAL VESSELS UNDER
THE NEW LOCAL VESSELS ORDINANCE (LVO) ”**

1 Purpose

- 1.1 This paper is to provide clarification to members regarding “Recognized Authority” mentioned in the papers on “ Outline on the Delegation of Surveys of Local Vessels under LVO” issued to members of PLVAC under PLVAC paper No. 6/2004 which was also issued to members of Technical Sub-Committee (TSC) in December 2003. Questions were raised by some members of TSC on the term and arrangement of “Recognized Authority”. However, the above paper was presented to PLVAC on 5 January 2004 for discussion and endorsement but Marine Department had undertaken to further clarify the term on “Recognized Authority”.

2. Background

- 2.1 The above-mentioned papers mainly present details on the programme of delegation of survey particularly related to the delegation survey procedures and implementation phases etc.. However, the paper also touches on the authorization of surveyors, which includes the Registered Professional Engineers (Marine & Naval Architecture) as Authorized Surveyors (AS), recognized classification societies as Authorized Organizations (AO), and certain Mainland authorities as Recognized Authorities (RA), to conduct the delegated surveys of local vessels.
- 2.2 Details of authorization arrangement and relevant documents for the AS and AO are being prepared and discussed with relevant working group or industry grouping. The outcome will be reported to PLVCA upon completion.

3. Recognized Authorities

- 3.1 It is a common practice that Marine Department may request other Administration of a Party to SOLAS and MARPOL conventions to survey Hong Kong registered ships. Section 31(1) of Cap. 369 of Hong Kong Law provides the power to the Director of Marine to authorize other governments of a Convention country to conduct survey leading to the issue of certificates.
- 3.2 Mainland Administration is a Party to both SOLAS and MARPOL Conventions. Certain Mainland authorities have been providing their inspection services to locally licensed vessels upon request from shipowners / operators with agreement from Marine Department, to meet their needs since mid nineties. In order to effectively deploy expertise of Mainland authorities on survey services, Marine Department will formalize the practice to request those Mainland authorities currently providing inspection services to Hong Kong shipowners/operators to be the “Recognized Authorities” (RA) under LVO to conduct surveys of locally licensed vessels. Details of the delegation of survey and recognition arrangements between Mainland authorities and Marine Department will be made as required.
- 3.3 The above have been studied and agreed in principle by Department of Justice and will be followed up in the law drafting process.

4. Application to Delegation of Survey

- 4.1 The clarification on “Recognized Authority” is necessary so that the owners/ operators of local vessels may have a clearer picture on various options in the arrangement of the delegated surveys of all low risk locally licensed vessels as the above-mentioned “AS/ AO/ RA” in the proposed PLVAC papers. No. 6/2004. The above clarification had been given to members of TSC as information and briefly reported at the TSC meeting in April 2004. Members raised no further query.

Marine Department
Hong Kong S.A.R. Government
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