

PORT OPERATIONS COMMITTEE

Use of Electronic Certificates for Local Vessels

Purpose

This paper seeks members' views on the amendments of the Shipping and Port Control Ordinance (Cap. 313), Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413) and Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and their subsidiary legislation, to facilitate the use of electronic certificates (E-Certificates) for local vessels as an alternative to its corresponding paper form.

Background

2. In response to the Chief Executive's 2022 Policy Address, the Marine Department (MD) plans to enhance its services by implementing E-Certificates for all new applications and renewal applications for local vessels and seamen with respect to the certificates, permits and licenses, commencing from mid-year of 2024. The E-Certificates adopted by the MD are in line with international standards helping to increase certificate security, streamline issuance procedures and provide convenience for holders of the E-Certificates.

3. One of the most notable benefits of the use of E-Certificates is the expedited delivery process. Physical collection or return of certificates by visiting MD is not required thus streamlining the administrative process and reducing waiting time.

4. Furthermore, the adoption of E-Certificates will mitigate the risks associated with document loss or damage, thus providing additional protections for certificate holders. By ensuring better data integrity and security, E-Certificates offer a more efficient, secure, and environmentally friendly solution.

Application, Issuance and Features of E-Certificates

5. E-Certificates are in PDF format and contain the same pertinent information as their paper counterparts but will be complemented by advanced digital security features. These features, including unique tracking number, QR code, digital signature, and verification instructions, will enhance E-Certificates' overall security.

6. The signatures on traditional paper certificates will be replaced by digital signature of E-Certificates. When an E-Certificate is opened with Adobe Reader, digital signature will be displayed as a blue strip ("Blue Ribbon") located at the top of the certificate. The presence of the "Blue Ribbon" emblem signifies that such E-certificate is officially issued by the MD and serves as a key indicator of the E-certificate's legitimacy and authenticity.

7. The validity of E-Certificates can be verified by scanning the embedded QR code or manually entering the certificate name and unique tracking number on MD's dedicated website.

8. Existing paper certificates not yet expired will still be valid and holders of these paper certificates are not required to apply for E-Certificates. Upon the time when existing paper certificates are to be replaced or expired requiring renewal, E-Certificates will be issued.

9. For those existing certificates that do not have a predefined expiry date, the holders of these certificates may apply for the issuance of an E-Certificate. No additional fees will be incurred for the issuance of E-Certificate.

10. Depending on the specific type of certificate, upon successful completion of application, MD will either send the E-Certificate in PDF format directly to the applicant or provide the option for the applicant to download the certificate directly from the MD website.

Printing of paper copy of E-Certificate

11. Applicants who apply for E-Certificates in person, may request MD to provide one paper copy of the E-Certificate at the time of application, free of additional charge. Any requests for printing of paper copy of E-Certificates

afterwards will be charged.

Amendments of Legislation

12. Legislation amendment is needed to permit the issuance and operation of E-Certificates as an alternative while retaining the current regulatory regime pertaining to paper certificates. The amendment will involve new provisions to enable the issuance, endorsement, suspension/restoration of validity, withdrawal, cancellation, and display of certificates electronically. The amendment will also empower the Director of Marine to recognize the electronic cancellation/revocation of E-Certificates as equivalent to the physical surrender of cancelled/revoked paper certificates. When the amended legislation is enacted, both E-Certificates and traditional paper certificates carry the same legal effects.

Consultation

13. Members' comments are invited on the subject of this paper.

Marine Department
January 2024