

Shipping Consultative Committee

**Proposed new/amendments/peal to
the Merchant Shipping Safety Regulations, Cap.369**

Purpose

1. The purpose of this paper is to seek members' views on the proposal to make new, amendments or to repeal the relevant local legislations for implementation of the updated convention requirements adopted by the International Maritime Organization (IMO).

Background

2. As the IMO convention requirements are amended from time to time, there is a need to update local legislations to give effect to the latest IMO requirements while the existing Hong Kong legislations were enacted before 2001.

Existing legislations and Proposed Legislative Amendments

3. The following subsidiary legislations under the Merchant Shipping (Safety) Ordinance, Cap.369 will be affected and their changes are listed in Annex with respect to SOLAS Convention:

| Convention/Code | Subsidiary legislations of Cap.369 | Remarks | Annex |
|----------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------|
| SOLAS Chapter III / LSA Code | Merchant Shipping (Safety) (Life-Saving Appliances) Regulation (Cap.369AY) | to <u>amend</u> the existing regulations | Annex 1 |
| | Merchant Shipping (Safety) (Musters and Training) Regulations. (Cap.369AI) | to <u>repeal</u> the existing regulations (the relevant provisions to be made in the Cap.369AY) | |
| SOLAS Chapter IV | Merchant Shipping (Safety) (GMDSS Radio Installation) Regulation (Cap.369AR) | to <u>amend</u> the existing regulations | Annex 2 |
| Part C of SOLAS Chapter VII / IGC Code | Merchant Shipping (Safety) (Gas Carriers) Regulations (Cap.369 Z); | to <u>amend</u> the existing regulations | Annex 3 |
| Part D of SOLAS Chapter VII / INF Code | Merchant Shipping (Safety) (INF Code) Regulation (Cap.369[.]) | to make a <u>new</u> subsidiary legislation | Annex 4 |
| | Merchant Shipping (Fees) Regulation (Cap. 281F); | to <u>amend</u> the existing regulations | |

4. The above relevant IMO resolutions for SOLAS Chapter III / LSA Code, SOLAS Chapter IV, Part C of SOLAS Chapter VII / IGC Code and Part D of SOLAS Chapter VII / INF Code are enclosed in the Annex 5, 6, 7, and 8 respectively to this paper for members' reference.

5. It is anticipated that the proposed new, amendments or repeal the relevant existing regulations will have no impact on the operation of ocean going vessels (OGV) because they are subject to the same safety requirements in other parts of the world and all Hong Kong registered OGV are being certificated by Recognized Organizations (ROs) in accordance with the applicable convention requirements.

Consultation

6. Members' comments, if any, are sought on our proposal to implement the updated international conventions in Hong Kong by making new, amending or repealing respective Merchant Shipping (Safety) regulations so as to give effect to relevant and latest IMO requirements.

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Multi-lateral Policy Division

Enclosure:

- Annex 1: Summary of Amendments to the Merchant Shipping (Safety) (Life-Saving Appliances) Regulation (Cap.369AY);
- Annex 2: Summary of Amendments to the Merchant Shipping (Safety) (GMDSS Radio Installation) Regulation (Cap.369AR);
- Annex 3: Summary of Amendments to the Merchant Shipping (Safety) (Gas Carriers) Regulations (Cap.369 Z);
- Annex 4: Summary of Amendments to the Merchant Shipping (Safety) (INF Code) Regulation (Cap.369[..]);
- Annex 5: IMO Resolutions MSC.91(72), MSC.134(76), MSC.152(78), MSC.170(79), MSC.201(81), MSC.216(82) Annex 1, MSC.216(82) Annex 3, MSC.256(84), MSC.317(89), MSC.325(90), MSC.338(91), and MSC.350(92);
- Annex 6: IMO SOLAS/CONF.3/46, Resolutions MSC.69(69), MSC.123(75), MSC.152(78), MSC.201(81), MSC.239(83), AND 256(84);
- Annex 7: IMO Resolutions MSC.17(58), MSC.32(63), MSC.59(67), MSC.103(73), MSC.177(79), MSC.220(82), and MSC.370(93);
- Annex 8: IMO Resolutions MSC.87(71), MSC.88(71), MSC.117(74), MSC.118(74), MSC.123(75), MSC.135(76), MSC.178(79), and MSC.241(83);