

Shipping Consultative Committee

Implementation of SOLAS and STCW Conventions Amendments for using gas and other low-flashpoint fuels

Purpose

1. The purpose of this paper is to seek members' views on the proposal to make new and repeal to the relevant local legislation to give effect to the amendments adopted by the recent International Maritime Organization's Maritime Safety Committee (MSC) resolutions. A copy of the resolutions MSC.391(95), MSC.392(95), MSC.396(95), and MSC.397(95) is enclosed in Annexes 1 to 4 respectively to this paper for members' reference. The amendments are necessary to allow Hong Kong registered ships and non-Hong Kong registered ships in Hong Kong waters to use gases or other low-flashpoint fuels with minimized risk.

Background

2. MSC adopted the International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code) for ships fueled by gases or other low-flashpoint fuels in June 2015 (resolution MSC.391(95)). The IGF Code is intended to minimize the risk to the ship, its crew and the environment when using gas and other low-flashpoint fuels. It will enter into force on 1 January 2017 and does not apply to cargo ships of less than 500 gross tonnage.

3. Ships which comply with IGF Code are permitted to use gas and other low-flash point fuels under paragraph 2.1.1 of SOLAS regulation II-2/4 (resolution MSC.392(95)). However, regulation 30 of Cap.369R, regulation 22 of Cap.369S, regulation 114 of Cap.369AL and regulation 64 of Cap.369AM do not permit to use gas and other low-flashpoint fuels onboard Hong Kong registered ships and non-Hong Kong registered ships in Hong Kong waters. A copy of Cap.369R, Cap.369S, Cap.369AL and Cap.369AM is enclosed in Annexes 5, 6, 7, and 8 respectively to this paper for members' reference.

4. The IGF Code also refers to the STCW Convention and Code in relation to the training requirements for seafarers on board ships using gases or other low-flashpoint fuels. Accordingly, new training requirements have been added into the STCW Convention and Code by resolutions MSC.396(95) and MSC.397(95).

Existing legislation and Proposed Legislative Amendments

5. The following subsidiary legislation under the Merchant Shipping (Safety) Ordinance (Cap.369) and Merchant Shipping (Seafarers) Ordinance (Cap.478) will be made, amended, or repealed:

Ordinance	Subsidiary legislation	Remarks
Cap.369	(a) Merchant Shipping (Safety)(Construction and Surveys) Regulation;	To make a new piece of subsidiary legislation
	(b) Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations (Cap. 369R);	To repeal the existing regulations
	(c) Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369S);	
	(d) Merchant Shipping (Safety) (Passenger Ship	

Ordinance	Subsidiary legislation	Remarks
	Construction) (Ships Built Before 1 September 1984) Regulations (Cap. 369AL); and (e) Merchant Shipping (Safety) (Passenger Ship Construction and Survey)(Ships Built On or After 1 September 1984) Regulations (Cap. 369AM);	
Cap.478	(f) Merchant Shipping (Seafarers) (Low-flashpoint Fueled Ships) Regulation	To make a new piece of subsidiary legislation

6. Since it takes time for making new pieces of subsidiary legislation, the implementation of the IGF Code in Hong Kong will take place after 1 January 2017.

7. It is anticipated that the proposed new and repeal of subsidiary legislation will have no impact on the operation of sea going vessels because they are subject to the same safety requirements in other parts of the world and all Hong Kong registered vessels are being certificated by our Recognized Organizations in accordance with the applicable convention requirements.

Consultation

8. Members' comments, if any, are sought on our proposal to implement the above mentioned amendments to SOLAS and STCW Conventions for using gas and other low-flashpoint fuels in Hong Kong by making new, amending or repealing respective Merchant Shipping (Safety) regulations and Merchant Shipping (Seafarers) regulations so as to give effect to the relevant and latest IMO requirements.

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Multi-lateral Policy Division

Enclosure:

Annex 1: IMO Resolution MSC.391(95)

Annex 2: IMO Resolution MSC.392(95)

Annex 3: IMO Resolution MSC.396(95)

Annex 4: IMO Resolution MSC.397(95)

Annex 5: Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations (Cap.369R)

Annex 6: Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap.369S)

Annex 7: Merchant Shipping (Safety) (Passenger Ship Construction) (Ships Built Before 1 September 1984) Regulations (Cap.369AL)

Annex 8: Merchant Shipping (Safety) (Passenger Ship Construction and Survey)(Ships Built On or After 1 September 1984) Regulations (Cap.369AM)