

Shipping Consultative Committee

**Proposed making new and repealing
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 and repeal the relevant local regulations for implementation of the updated convention requirements adopted by the International Maritime Organization (IMO).

Background

2. As the requirements of the International Convention for the Safety of Life at Sea (SOLAS) are amended from time to time, there is a need to revise local legislation to give effect to the up-to-date international ship safety requirements by making direct reference to the SOLAS and its amendments.

Existing legislation and Proposed Legislative Amendments

3. The following subsidiary legislation under the Merchant Shipping (Safety) Ordinance, Cap.369, will be replaced by two new regulations. The summary of the up-to-date amendments to SOLAS Chapters II-1 and XI-1 and Chapter II-2 is listed in Annexes 1 & 2 respectively.

SOLAS	Subsidiary legislation of Cap.369	Remarks	Annex
Chapters II-1 and XI-1	Merchant Shipping (Instructions to Surveyors) (Passenger Ships) Regulations (Cap. 369C)	to replace the existing 13 regulations by a new piece of subsidiary legislation to give effect to the up-to-date SOLAS requirements and implement the requirements of SOLAS Chapter XII	Annex 1
	Merchant Shipping (Minimum Passenger Space) Regulations (Cap. 369E)		
	Examination of Hull, Ship-side Fittings and Boilers (Exemption) (Consolidation) Notice (Cap. 369I);		
	Corridor Bulkheads Serving Accommodation Spaces and Control Stations (Cap. 369J)		
	Merchant Shipping (Safety) Ordinance (Exemption) Notice (Cap. 369P)		
	Merchant Shipping (Safety) (Anchors and Chain Cables) Regulations (Cap. 369Q)		
	Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built Before 1 September 1984) Regulations (Cap. 369R)		
	Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369S)		

	Merchant Shipping (Safety) (Closing of Openings in Hulls and in Watertight Bulkheads) Regulations (Cap. 369U)		
	Merchant Shipping (Safety) (Means of Access) Regulations (Cap. 369AH)		
	Merchant Shipping (Safety) (Passenger Ship Construction) (Ships Built Before 1 September 1984) Regulations (Cap. 369AL)		
	Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap. 369AM)		
	Merchant Shipping (Safety) (Subdivision and Damage Stability of Cargo Ships) Regulation (Cap. 369AT)		
Chapter II-2	Merchant Shipping (Safety) (Fire Protection) (Ships Built Before 25 May 1980) Regulations (Cap. 369W)	to replace the existing four regulations by a new piece of subsidiary legislation to give effect to the up-to-date SOLAS requirements	Annex 2
	Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) Regulations (Cap. 369X)		
	Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September 1984) Regulations (Cap. 369Y)		
	Merchant Shipping (Safety) (Protective Clothing and Equipment) Regulations (Cap. 369 AO)		

4. The above relevant IMO resolutions for SOLAS Chapters II-1, II-2 and XI-1 and the requirements of SOLAS Chapter XII are enclosed in the Annexes 3, 4, 5, and 6 respectively to this paper for members' reference.

5. It is anticipated that the proposal to make two new pieces of subsidiary legislation and 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 standards and requirements in other parts of the world and all Hong Kong registered OGV are being certificated by Recognized Organizations in accordance with the applicable requirements.

Consultation

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

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Multi-lateral Policy Division

Enclosures:

- Annex 1: Summary of Amendments to SOLAS Chapters II-1 & XI-1;
- Annex 2: Summary of Amendments to SOLAS Chapter II-2;
- Annex 3: IMO Resolutions MSC.134(76), MSC.151(78), MSC.170(79), MSC.194(80) (Annexes 1 & 2), MSC.216(82) (Annexes 1-3), MSC.256(84), MSC.269(85)(Annex 1), MSC.282(86), MSC.290(87), MSC.291(87), MSC.308(88), MSC.325(90), MSC.338(91), MSC.365(93), MSC.392(95) and MSC.409(97);
- Annex 4: IMO Resolutions MSC.134(76), MSC.194(80) (Annex 2), MSC.201(81), MSC.216(82) (Annexes 1 &3), MSC.256(84), MSC.269(85)(Annexes 1&2), MSC.291(87), MSC.308(88), MSC.338(91), MSC.365(93), MSC.380(94), MSC.392(95), MSC.404(96) and MSC.409(97);
- Annex 5: SOLAS/CONF.5/32, IMO Resolutions MSC.194(80) (Annex 2), MSC.257(84), MSC.325(90), MSC.350(92), MSC.380(94) and MSC.409(97); and
- Annex 6: SOLAS Chapter XII.