

L.N. 82 of 2016

**Merchant Shipping (Seafarers) (Fees) (Amendment)
Regulation 2016**

(Made by the Secretary for Financial Services and the Treasury under sections 133 and 134 of the Merchant Shipping (Seafarers) Ordinance (Cap. 478))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Transport and Housing by notice published in the Gazette.

2. Merchant Shipping (Seafarers) (Fees) Regulation amended

The Merchant Shipping (Seafarers) (Fees) Regulation (Cap. 478 sub. leg. AB) is amended as set out in sections 3 to 9.

3. Section 2 amended (interpretation)

- (1) Section 2, definition of *office hours*—

Repeal

“9 a.m. and 5 p.m., and 9 a.m. and noon on Saturday”

Substitute

“8:30 a.m. and 5:45 p.m. on Monday to Friday”.

- (2) Section 2, definition of *surveyor*—

Repeal

everything after “means”

Substitute

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- (a) a person appointed under section 5(1) of the Merchant Shipping (Safety) Ordinance (Cap. 369) to be a Government surveyor; or
- (b) a person appointed under section 110 of the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation to be a Government surveyor;”.

4. Section 3 amended (schedule of fees)

Section 3—

Repeal subsection (2).

5. Section 5 amended (fees for services outside Hong Kong)

- (1) Section 5(2), after “Part I”—

Add

“or IV”.

- (2) Section 5(2)(b)—

Repeal

“specified in that Part”

Substitute

“, if any, specified in Part I or IV”.

- (3) Section 5(2)(c)(ii)—

Repeal

“for the services specified in that Part”

Substitute

“, if any, for the services specified in Part I or IV”.

6. Section 6 amended (fees for transmission of documents)

Section 6—

- (a) After “Part I” (wherever appearing)—

Add

“or IV”;

- (b) After “issue of a certificate”—

Add

“, if any.”.

7. Section 7 amended (fees for services outside office hours)

- (1) Section 7—

Repeal

“week-days”

Substitute

“Monday to Friday (except a general holiday)”.

- (2) Section 7—

Repeal

“7 a.m. and 9 a.m. or 5 p.m. and 7 p.m.”

Substitute

“6:30 a.m. and 8:30 a.m. or 5:45 p.m. and 7:45 p.m.”.

- (3) Section 7—

Repeal

“7 a.m. or after 7 p.m.”

Substitute

“6:30 a.m. or after 7:45 p.m.”.

- (4) Section 7—

Repeal

“Saturdays (after noon), Sundays or Public Holidays”

Substitute

“Saturday, Sunday or a general holiday”.

8. Section 10 amended (fees for issue of certificates of survey, etc.)

- (1) Section 10(2), after “service specified in Part I”—

Add

“or IV”.

- (2) Section 10(2)(a), after “Part I”—

Add

“or IV”.

- (3) Section 10(2)(a)—

Repeal

“that Part”

Substitute

“Part I or IV”.

- (4) Section 10(2)(b), after “Part I”—

Add

“or IV”.

- (5) Section 10(4)—

Repeal

“Part I”

Substitute

“Parts I and IV”.

9. Schedule amended

- (1) The Schedule, Part II—

Repeal Notes (2) and (3).

- (2) The Schedule, Part II, item 1(a)—

Repeal

“9,250”

Substitute

“8,980”.

- (3) The Schedule, Part II, item 1(b)—

Repeal

“6,940”

Substitute

“6,670”.

- (4) The Schedule, Part II, item 1(c)—

Repeal

“4,820”

Substitute

“4,550”.

- (5) The Schedule, Part II, item 1(d)—

Repeal

“6,940”

Substitute

“6,670”.

- (6) The Schedule, Part II, item 1(e)—

Repeal

“4,820”

Substitute

“4,550”.

- (7) The Schedule, Part II, item 1(f)—

Repeal

“3,090”

Substitute

“2,820”.

- (8) The Schedule, Part II, item 6—

Repeal sub-items (a), (b) and (c).

- (9) The Schedule, Part II, item 7—

Repeal sub-item (b).

- (10) The Schedule, Part III, item 7(a)—

Repeal

“week-days from 7 a.m. to 9 a.m. or 5 p.m. to 7 p.m.”

Substitute

“Monday to Friday (except a general holiday) between the hours of 6:30 a.m. to 8:30 a.m. or 5:45 p.m. to 7:45 p.m.”.

- (11) The Schedule, Part III, item 7(b)—

Repeal

“week-days before 7 a.m. or after 7 p.m.”

Substitute

“Monday to Friday (except a general holiday) before 6:30 a.m. or after 7:45 p.m.”.

- (12) The Schedule, Part III, item 7(c)—

Repeal

“Saturday afternoons, Sundays and public holidays”

Substitute

“Saturday, Sunday or a general holiday”.

- (13) The Schedule, after Part III—

Add**“Part IV****Fees Payable for Inspection and Issue of
Certificates under Merchant Shipping (Seafarers)
(Working and Living Conditions) Regulation**

	Service	Fee \$
1.	An inspection or intermediate inspection of a ship referred to in section 69, 72, 74, 78 or 91 of the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation	3,270 for the first hour or part hour, and \$1,115 for each subsequent hour or part hour during which the inspection continues.
2.	Issue of a maritime labour certificate, or interim maritime labour certificate, under section 69, 70, 72 or 78 of the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation	565”.

K. C. CHAN
Secretary for Financial Services
and the Treasury

12 May 2016

Explanatory Note

The Maritime Labour Convention, 2006 (*Convention*) was adopted by the International Labour Conference of the International Labour Organization in 2006. It sets out a comprehensive set of global standards for the working and living conditions of seafarers on seagoing ships and seeks to protect the right of seafarers to decent employment. The Convention will apply to Hong Kong after China has ratified the Convention and extended it to Hong Kong. Most of the requirements of the Convention will be implemented by the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (*Working and Living Conditions Regulation*).

2. This Regulation amends the Merchant Shipping (Seafarers) (Fees) Regulation (Cap. 478 sub. leg. AB)—
 - (a) to provide for the fees payable for the inspection of ships and the issue of certain certificates under the Working and Living Conditions Regulation;
 - (b) to update the definition of *office hours* and make related amendments; and
 - (c) to amend the fees payable for certain examinations.