

LN038-E

L.N. 38 of 2000

Merchant Shipping (Safety) (Radio Installations Survey) (Amendment) Regulation 2000
(Made under sections 97 and 107 of the Merchant
Shipping (Safety) Ordinance (Cap. 369))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Economic Services by notice in the Gazette.

2. Interpretation

Regulation 2 of the Merchant Shipping (Safety) (Radio Installations Survey) Regulations (Cap. 369 sub. leg.) is amended by adding---
""anniversary date" (周年日期) means the date in each year corresponding to the date of expiry of the radio certificate;"

3. Surveys

Regulation 4 is amended---

(a) by repealing subregulation (3) and substituting---

"(3) The survey referred to in subregulation (1) shall be as follows---

(a) an initial survey before the ship is put in service or before a radio certificate is issued in respect of the ship for the first time. The initial survey shall include a complete inspection of the radio installations, including those used in life-saving appliances, of the ship to ensure that they comply with the requirements of the Radio Installations Regulations;

(b) a renewal survey at intervals specified by the Director which shall not exceed 5 years for the renewal of a radio certificate. The renewal survey shall include an inspection of the radio installations, including those used in life-saving appliances, of the ship to ensure that they comply with the requirements of the Radio Installations Regulations;

(c) a periodical survey within 3 months before or after each anniversary date of the radio certificate. The periodical survey shall include an inspection of the radio installations, including those used in life-saving appliances, of the ship to ensure that they comply with the requirements of the Radio Installations Regulations;

(d) an additional survey, either general or partial according to the circumstances, whenever any important repairs or renewals are made.";

(b) by adding---

"(5) On completion of the periodical survey, the nominated surveyor shall, where he is satisfied that the survey has been carried out in accordance with subregulation (3)(c), endorse the radio certificate the fact that such survey has been completed.

(6) If a periodical survey is completed before the period specified in subregulation (3)(c) then---

(a) a new date, which shall not be more than 3 months after the date on which the survey was completed, shall be endorsed by the nominated surveyor on the radio certificate to be the date for ascertaining subsequent anniversary dates;

(b) the subsequent periodical survey required under subregulation (3)(c) shall be carried out at the intervals prescribed by that subregulation using the new date in paragraph (a) as the anniversary date; and

(c) the expiry date of the certificate may remain unchanged provided one or more periodical surveys are carried out so that the maximum intervals between the surveys prescribed by subregulation (3)(c) are not exceeded.

(7) If the ship is not surveyed in accordance with subregulation (3)(c) or (d), the Director may cancel its radio certificate. The Director shall notify the owner of the ship in writing of the cancellation specifying the grounds therefor and the date on which it takes effect."

4. Regulation added

The following is added---

"4A. Duration and extension of radio certificate

(1) A radio certificate shall be valid for 5 years from the date of issue or for such shorter period as may be specified in the certificate.

(2) Where a ship in respect of which a radio certificate has been issued is registered in Hong Kong and engaged on short voyages, and the certificate has not been extended under section 29 of the Ordinance nor this regulation, the Director may, on the application of the owner, agent or master of the ship, grant an extension of the certificate for a period not exceeding 1 month from the date of expiry of the certificate.

(3) Where a renewal survey of a ship in respect of which an extension of a radio certificate is granted under subregulation (2) is completed, the new radio certificate issued in consequence of the survey shall be valid for 5 years from the date of expiry of the existing certificate before the extension was granted or for such shorter period as may be specified in the certificate or, if the Director considers it is appropriate in the special circumstances of the case, valid for 5 years from the date of completion of the renewal survey or for such shorter period as may be specified in the certificate."

5. Penalties

Regulation 8 is amended by repealing "(1) or (2)" and substituting "(3)(a), (b) or (c)".

Stephen IP

Secretary for Economic Services

18 January 2000

Explanatory Note

The purpose of this Regulation is to amend the Merchant Shipping (Safety) (Radio Installations Survey) Regulations (Cap. 369 sub. leg.) ("the principal Regulations") to give effect to the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974. The Protocol shall come into operation on 3 February 2000.

2. The Regulation provides for the period of validity of cargo ship safety radio certificate. It also prescribes the extent, manner and intervals of the initial, renewal, periodical and additional surveys to be conducted on ships to which the principal Regulations apply as required by the Protocol.