Table of Provisions Amended under Part 3
(Clauses 38 to 52 of the Bill)

Item no.	Clause no in the Bill	Page ref. in CB(2)1550/07-08(01)	Relevant provisions containing "to the satisfaction of" formula	Effect of amendment
36.	38	0044	**Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built before 1 September 1984) Regulations (Cap. 369R)** **50. Machinery, boilers and electrical installations** (1) Automatic control systems and an alarm system, **to the satisfaction of the Certifying Authority**, shall be provided for all important functions including pressures, temperatures and fluid levels. The control system shall be such that through the necessary automatic arrangements the services needed for the operation of the main propulsion machinery and its auxiliaries are ensured.	The owner or master of a ship will not be convicted for contravening regulation 50(1) because the ship fails to satisfy the *Certifying Authority pursuant to that regulation unless the prosecution prove that – (a) the Certifying Authority has, before the failure, specified to the owner or master how the Certifying Authority is to be satisfied for the purposes of regulation 50(1); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Certifying Authority to ascertain, and ascertaining from the Certifying Authority, before the failure, as to how the Certifying Authority is to be satisfied for the purposes of regulation 50(1). * "Certifying Authority" means the Director of Marine or any person authorised by him.

37.	39	0045	**Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built on or after 1 September 1984) Regulations (Cap. 369S)** **3A. Double bottoms** (3) Where a double bottom is required by this regulation to be fitted in a ship, its depth shall be **to the satisfaction of the Certifying Authority** and the inner bottom shall be continued out to the ship's sides in such a manner as to protect the bottom to the turn of the bilge. **5. Construction and testing of watertight decks, trunks, tunnels, duct keels and ventilators** (1) In every ship the watertight decks, trunks, tunnels, duct keels and ventilators shall be of the same strength as the watertight bulkheads at corresponding levels. The means used for making them watertight and the arrangements adopted for closing openings in them shall be **to the satisfaction of the Certifying Authority**. Watertight ventilators and trunks shall be watertight at least up to the freeboard deck. **22. Oil and gaseous fuel installations** (2) In every ship in which oil or gaseous fuel is used, the arrangements for the storage, distribution and utilization of the fuel shall be such that, having regard to the hazard of fire and explosion which the use of such fuel may entail, the safety of the ship and of persons on board is preserved. The arrangements shall comply at least with the following provisions-	The owner or master of a ship will not be convicted for contravening regulation 3A(3), 5(1), 22(2)(k) or 39(1) because the ship fails to satisfy the *Certifying Authority pursuant to the regulation concerned unless the prosecution proves that – (a) the Certifying Authority has, before the failure, specified to the owner or master how the Certifying Authority is to be satisfied for the purposes of regulation 3A(3), 5(1), 22(2)(k) or 39(1); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Certifying Authority to ascertain, and ascertaining from the Certifying Authority, before the failure, as to how the Certifying Authority is to be satisfied for the purposes of regulation 3A(3), 5(1), 22(2)(k) or 39(1). * "Certifying Authority" means the Director of Marine or any person authorised by him. The owner or master of a ship will not be convicted for contravening regulation 52(1)(f), (2) or (5) because the ship fails to

			(a) oil fuel systems containing heated fuel oil at a pressure exceeding 1.8 bar gauge shall be in illuminated locations so that defects and leakage can be readily observed. Where it is impracticable to meet the requirements of this subparagraph the Certifying Authority may permit other arrangements; (b) oil fuel tanks shall be part of the ships structure and shall be located outside machinery spaces of Category A. When oil fuel tanks, except double bottom tanks, are necessarily located adjacent to or within machinery spaces of Category A at least one of their vertical sides shall be contiguous to the machinery space boundaries and, if practicable, they shall have a boundary common with the double bottom tanks. The area of the tank boundary common with the machinery space shall be kept to a minimum. Any oil fuel tank located within the boundaries of machinery spaces of Category A shall not contain fuel having a flash point of less than 60 ^{o}C. Where it is impracticable to meet the requirements of this subparagraph, the Director may permit other arrangements; (c) every oil fuel tank shall, where	satisfy the *Director pursuant to the regulation concerned unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 52(1)(f), (2) or (5); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 52(1)(f), (2) or (5). * "Director" means the Director of Marine.

			necessary, be provided with save-alls or gutters which will catch any oil which may leak from the tank; (d) oil fuel tanks shall not be situated directly above boilers or other heated surfaces; (e) oil fuel shall not be carried in forepeak tanks; (f) means shall be provided for the removal of water from fuel oil. Such means shall include the fitting of water drain valves to daily service tanks, settling tanks and, where practicable, to other oil fuel tanks. Where the removal of water by drain valves is impracticable water separators shall be fitted in the supply lines to propulsion machinery; (g) save-alls or gutters and screens shall be provided to prevent oil fuel that may leak under pressure from any pump, filter or heater from coming into contact with boilers or other heated surfaces; (h) every pipe connected to any oil fuel storage, settling, or daily service tank, not being a double bottom tank, which if damaged would otherwise permit discharge of the contents so as to cause a fire hazard, shall be fitted with a valve or cock which shall be secured to the tank to which it is connected and be capable of being	

			closed from a readily accessible position outside the space in which the tank is situated; provided that in the case of any inlet pipe to such a tank, a non-return valve similarly secured to the tank may be substituted. In the case of an oil fuel deep tank traversed by any shaft or pipe tunnel, in addition to the valve or cock secured to the tank, a valve or valves may be fitted on the pipe line or lines outside the tunnel or tunnels to enable control to be exercised in the event of fire; (i) in the case of ships other than post 1992 ships: (i) safe and efficient means of ascertaining the amount of oil fuel contained in any oil fuel tank shall be provided. Sounding pipes shall not terminate in any space where the risk of ignition of spillage therefrom could arise. In particular, sounding pipes shall not terminate in passenger spaces or crew spaces. Other means of ascertaining the amount of oil fuel may be permitted provided that the failure of such means or overfilling of the tanks will not permit release of oil fuel;	

			(ii) in the case of post 1992 ships: safe and efficient means of ascertaining the amount of oil fuel contained in any oil fuel tank shall be provided. Sounding pipes shall not terminate in any space where the risk of ignition of spillage therefrom could arise. In particular, sounding pipes shall not terminate in passenger spaces or crew spaces. As a general rule, sounding pipes shall not terminate in machinery spaces. However, where the Certifying Authority considers that these latter requirements are impracticable, it may permit termination of sounding pipes in machinery spaces on condition that all the following requirements are met- (A) in addition, an oil-level gauge is provided such that its failure or over-filling of the tank shall not permit release of fuel oil into the space. The use of cylindrical gauge glasses is prohibited. The Certifying Authority may permit the use of oil-level gauges with flat glasses	

				and self-closing valves between the gauges and fuel tanks; (B) the sounding pipes terminate in locations remote from ignition hazards unless precautions are taken such as the fitting of effective screens to prevent the oil fuel in the case of spillage through the terminations of the sounding pipes from coming into contact with a source of ignition; and (C) the termination of sounding pipes are fitted with self-closing blanking devices and with a small diameter self-closing control cock located below the blanking device for the purpose of ascertaining before the blanking device is opened that oil fuel is not present. Provisions shall be made so as to ensure that any spillage of oil through the control cock involves no ignition hazard. Other means of ascertaining the amount of fuel oil may be permitted	

			in place of sounding pipes provided it complies with sub-subparagraph (A). The oil-level gauges so provided shall be maintained in the proper condition to ensure their continued accurate functioning in service; (j) provision shall be made which will prevent overpressure in any oil fuel tank, oil fuel filling pipe or any part of the oil fuel system. Air and overflow pipes and relief valves shall discharge to a position where there will be no risk of fire or explosion from the emergence of oil or oil vapour; (k) every oil fuel pipe shall be made of steel or other suitable material except that flexible pipes may be permitted in positions where the Certifying Authority is satisfied that they are necessary; such flexible pipes and their attachments shall be constructed **to the satisfaction of the Certifying Authority**; (l) in every ship in which oil or gaseous fuel is used in engines or boilers for the propulsion or safety of the ship, the arrangements for the storage, distribution and utilisation of the fuel shall be such that the effective use of the engines can be maintained under	

			all conditions likely to be met by the ship in service; (m) every oil fuel installation which serves a boiler supplying steam for the propulsion of the ship shall include not less than two oil fuel units. **39. Machinery, boilers and electrical installations** (1) An automatic control system, and an alarm system shall be provided **to the satisfaction of the Certifying Authority** for all important functions including pressures, temperatures and fluid levels. The control system shall be such that through the necessary automatic arrangements the services needed for the operation of the main propulsion machinery and its auxiliaries are ensured. **52. Means of escape** (1) In every ship stairways and ladderways shall be arranged so as to provide ready means of escape to the lifeboat embarkation deck from all accommodation spaces, service spaces and other spaces in which the crew are normally employed. In particular the following shall be complied with- (a) at all levels of accommodation there shall be provided at least two widely separated means of escape from each restricted space or group of spaces; (b) below the lowest open deck such means of escape shall be by stairways except that one of these stairways may be replaced by a trunked vertical	

			ladder; (c) above the lowest open deck the means of escape shall be stairways or doors to an open deck or a combination thereof; (d) one of the means of escape may be dispensed with in an exceptional case having regard to the nature and location of the space and to the number of persons who normally might be accommodated or employed there; (e) no dead-end corridors having a length of more than 7 metres shall be permitted. A dead-end corridor is a corridor or part of a corridor from which there is only one escape route; (f) the width and continuity of the means of escape shall be **to the satisfaction of the Director**; (g) if a radio office station has no direct access to the open deck, two means of escape from such station shall be provided; the Director may permit one of these escapes to be an opening type window or sidescuttle of sufficient size. (2) In all cargo spaces intended for the carriage of motor vehicles with fuel in their tanks for their own propulsion where the crew is normally employed the number and locations of escape routes to the open deck shall be **to the satisfaction of the Director** but shall in no case be less than two and	

			shall be as widely separated as possible. (5) From machinery spaces other than machinery spaces of Category A, escape routes shall be provided **to the satisfaction of the Director** having regard to the nature and location of the space and the number of persons normally employed in that space.	
38.	40	0046	**Merchant Shipping (Safety) (Fire Protection) (Ships Built before 25 May 1980) Regulations (Cap. 369W)** **48. Tankers requiring inert gas systems** (1) Except as provided in subregulations (2A) and (3), every tanker of Class VII(T) of 20000 tonnes deadweight or over constructed or adapted and used to carry crude oil and petroleum products having a closed fishponds not exceeding 60 degrees Clesius, the Reid vapour pressure of which is below atmospheric pressure, and other liquids having a similar fire hazard shall be provided with an inert gas system complying with Schedule 1. **Schedule 1 Inert Gas Systems: Standard Requirements** (2) (a) (i) The inert gas system shall be designed, constructed and tested **to the satisfaction of the Director**. It shall be designed and operated so as to render and maintain the atmosphere of the cargo tanks including the slop tanks non-	The owner or master of a ship will not be convicted for contravening regulation 48(1) because the ship fails to satisfy the *Director pursuant to paragraph (2)(a)(i) or (s)(vii) of Schedule 1 unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of paragraph (2)(*a*)(i) or (*s*)(vii) of Schedule 1; or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of paragraph (2)(*a*)(i) or (*s*)(vii) of Schedule 1. * "Director" means the Director of Marine.

				flammable at all times, except where such tanks are to be gas free; and (s) (i) Audible and visual alarms shall be provided to indicate- (A) low water pressure or low water flow rate to the flue gas scrubber referred to in subparagraph (f)(i); (B) high water level in the flue gas scrubber referred to in subparagraph (f)(i); (C) high gas temperature referred to in subparagraph (o); (D) failure of any of the inert gas blowers referred to in subparagraph (g); (E) oxygen content referred to in subparagraph (p)(i)(B) in excess of 8% by volume; (F) failure of the power supply to the automatic control system for the gas regulating valve and to the indicating devices referred to in subparagraphs (i) and (p)(i), respectively; (G) low water level in the	

			water seal referred to in subparagraph (j)(i); (H) gas pressure as referred to in subparagraph (p)(i)(A) when less than 100 millimetres water gauge; the alarm arrangement for this gas pressure shall be such as to ensure that the pressure in slop tanks in combination carriers can be monitored at all times; and (I) high gas pressure referred to in subparagraph (p)(i)(A); (ii) in the system with gas generators, audible and visual alarms shall be provided in accordance with sub-subparagraphs (i)(A), (i)(C) and (i)(E) to (i)(I) and additional alarms to indicate- (A) insufficient fuel oil supply; (B) failure of the power supply to the generator; and (C) failure of the power supply to the automatic control system for the generator; (iii) automatic shut down of the	

				inert gas blowers and gas regulating valve shall be arranged to operate on system designed limits being reached in respect of a pressure, flow rate, level or temperature mentioned in sub-subparagraph (i)(A), (i)(B) or (i)(C); (iv) automatic shut down of the gas regulating valve shall be arranged to operate on failure of the inert gas blowers referred to in subparagraph (g); (v) in relation to sub-subparagraph (i)(E) when the oxygen content of the inert gas exceeds 8%, immediate action shall be taken to reduce the oxygen level. Unless the quality of gas improves, all in-tank operations shall be suspended so as to avoid air being drawn into the tanks and the isolation valve referred to in subparagraph (j)(viii) shall be closed; (vi) the alarms required by sub-subparagraph (i)(E), (i)(F) or (i)(H) shall be fitted in the machinery space and cargo control room, where provided, but in the event in such a	

			position that they are immediately received by responsible members of the crew; (vii) in relation to the water seal mentioned in sub-subparagraph (i)(G) arrange-ments shall be made **to the satisfaction of the Director** for the maintenance of an adequate reserve of water at all times and the integrity of the arrangements to permit the automatic formation of the water seal when the gas flow ceases. The audible and visual alarm on the low level of water in the water seal shall operate when the inert gas is not being supplied; (viii) an audible alarm system, independent of that required by sub-subparagraph (i)(H) or automatic shut down of cargo pumps shall be provided to operate on the system designed limit of low pressure in the inert gas main being reached.	
39.	42	0052	**Merchant Shipping (Safety) (Fire Appliances) (Ships Built on or after 25 May 1980 but before 1 September 1984) Regulations (Cap.**	The owner or master of a ship will not be convicted for contravening regulation 11(a) because the ship fails to satisfy the

			<u>369X)</u> **11. Fire patrol, alarm and detection systems** (1) (a) In every ship of Class I an efficient patrol system shall be maintained so that any outbreak of fire may be promptly detected. In special category spaces in which the patrol is not maintained by a continuous fire watch at all times during the voyage there shall be provided in that space an automatic fire detection system complying with Schedule 12. (b) In every ship of Class I manual fire alarms shall be fitted throughout the passenger, crew and special category spaces which will enable the fire patrol to give an alarm immediately to the navigating bridge or fire control station. A manual alarm shall be positioned adjacent to each exit from every special category space. (c) Each member of the fire patrol shall be trained to be familiar with the arrangements of the ship as well as the location and operation of any equipment he may be called upon to use. **Schedule 12 Automatic Fire Alarm and Fire Detection Systems** (13) In cargo spaces the system shall comply with the following additional requirements- (a) Detectors shall be grouped into separate sections such that a section shall cover not more than one cargo	*Director pursuant to paragraph (13)(b) of Schedule 12 unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of paragraph (13)(b) of Schedule 12; or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of paragraph (13)(b) of Schedule 12. The owner or master of a ship will not be convicted for contravening regulation 51(2)(a)(i) or (s)(vii), 51A(1)(a) or (12), 51B(1)(a) or (12)(a) or 75 because the ship fails to satisfy the *Director pursuant to the regulation concerned, unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 51(2)(a)(i) or (s)(vii), 51A(1)(a) or (12), 51B(1)(a)

			space. Each section shall contain not more than 100 detectors. (b) The type, number and spacing of detectors shall be **to the satisfaction of the Director** taking into account the conditions of ventilation and other factors prevailing in the space in which the detectors are installed. **51. Inert gas system: standard requirements** (2) (a) (i) The inert gas system shall be designed, constructed and tested **to the satisfaction of the Director**. It shall be so designed and operated as to render and maintain the atmosphere of the cargo tanks including the slop tanks non-flammable at all times, except where it is necessary for such tanks to be gas free; (ii) in the event that the inert gas system is unable to meet the operational requirement set out above and it has been assessed by the owner or master that it is impractical to effect a repair, then cargo discharge, deballasting and necessary tank cleaning shall only be resumed when the "emergency procedures" laid down in the "Guidelines for Inert Gas Systems" are complied with; (s) (i) audible and visual alarms shall be provided to indicate -	or (12)(a) or 75; or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 51(2)(a)(i) or (s)(vii), 51A(1)(a) or (12), 51B(1)(a) or (12)(a) or 75. * "Director" means the Director of Marine.

			(A) low water pressure or low water flow rate to the flue gas scrubber referred to in paragraph (f)(i); (B) high water level in the flue gas scrubber referred to in paragraph (f)(i); (C) high gas temperature referred to in paragraph (o); (D) failure of any of the inert gas blowers referred to in paragraph (g); (E) oxygen content referred to in paragraph (p)(i)(B) in excess of 8% by volume; (F) failure of the power supply to the automatic control system for the gas regulating valve and to the indicating devices referred to in paragraphs (i) and (p)(i) respectively; (G) low water level in the water seal referred to in paragraph (j)(i); (H) gas pressure as referred to in paragraph (p)(i)(A) less than 100 millimetres water gauge; the alarm arrangement for this gas pressure shall be such as to ensure that the pressure in slop tanks in combination carriers can be monitored at all times; and (I) high gas pressure referred to in paragraph (p)(i)(A); (ii) in systems fitted with gas generators, audible and visual alarms shall be provided in accordance with subparagraphs (i)(A),	

			(C) and (E) to (I) and additional alarms to indicate - (A) insufficient fuel oil supply; (B) failure of the power supply to the generator; (C) failure of the power supply to the automatic control system for the generator; (iii) automatic shut down of the inert gas blowers and gas regulating valve shall be arranged to operate on system design limits being reached in respect of subparagraph (i)(A), (B) and (C); (iv) automatic shut down of the gas regulating valve shall be arranged to operate on failure of the inert gas blowers referred to in paragraph (g); (v) in relation to subparagraph (i)(E), when the oxygen content of the inert gas exceeds 8%, immediate action shall be taken to reduce the oxygen level. Unless the quality of the gas improves, all in-tank operations shall be suspended so as to avoid air being drawn into the tanks and the isolation valve referred to in paragraph (j)(viii) shall be closed; (vi) the alarms required in subparagraphs (i)(E), (F) and (H) shall be fitted in the machinery space and cargo control room, where provided, but in any event in such a position that they are immediately received by responsible members of the crew; (vii) in relation to the water seal referred to in	

			subparagraph (i)(G), arrangements shall be made **to the satisfaction of the Director** for the maintenance of an adequate reserve of water at all times for the automatic formation of the water seal when the gas flow ceases. The audible and visual alarm on the low level of the water in the water seal shall operate when the inert gas is not being supplied; (viii) an audible alarm system independent of that required in subparagraph (i)(H), or automatic shut down of cargo pumps, shall be arranged to operate on the system designed limit of low pressure in the inert gas main being reached; **51A. Inert gas systems: alternative requirements for chemical tankers** (1) (a) Every inert gas system fitted in accordance with regulation 46(1A)(a) shall be designed, constructed and tested **to the satisfaction of the Director** and shall comply with the following requirements of this regulation. (b) In this regulation a reference to a cargo tank includes a reference to a slop tank containing cargo residues. (12) The arrangements for inerting, purging or gas-freeing of empty tanks as required by subregulation (2) shall be **to the satisfaction of the Director** and shall be such that the accumulation of hydrocarbon vapours in pockets formed by the internal structural members in a tank is minimised and that-	

			(a) on individual cargo tanks the gas outlet pipe, if fitted, shall be positioned as far as practicable from the inert gas air inlet and in accordance with regulation 12(5)(c) of the Merchant Shipping (Safety) (Cargo Ship Construction and Survey) (Ships Built On or After 1 September 1984) Regulations (Cap 369 sub. leg.). The inlet of such outlet pipes may be located either at deck level or at not more than 1 metre above the bottom of the tank; (b) the cross-sectional area of such gas outlet pipe referred to in paragraph (a) shall be such that an exit velocity of at least 20 metres per second can be maintained when any 3 tanks are being simultaneously supplied with inert gas. Their outlets shall extend not less than 2 metres above deck level. When in accordance with subregulation (3) the Director permits a system designed to supply only one tank or 2 tanks simultaneously, the outlet pipes shall be sized such that an exit velocity in the outlet pipes of 20 metres per second can be maintained; (c) each gas outlet referred to in paragraph (b) shall be fitted with suitable blanking arrangements. **51B. Inert gas system: alternative requirements for**	

			chemical tankers carrying crude oil or petroleum products (1) (a) Every inert gas system fitted in accordance with regulation 46(1A)(b) shall be designed, constructed and tested **to the satisfaction of the Director** and shall comply with the following requirements of this regulation. (b) In this regulation a reference to a cargo tank includes a reference to a slop tank containing oil residues. (12) (a) The arrangements for inerting, purging or gas-freeing of empty tanks as required by subregulation (2) shall be made **to the satisfaction of the Director** and shall be such that the accumulation of flammable vapours in pockets formed by the internal structural members in a tank is minimised. (b) When in accordance with subregulation (3) the Director permits a system designed to supply only one tank or 2 tanks simultaneously; the outlet pipes shall be sized such that an exit velocity in the outlet pipes of 20 metres per second can be maintained. **75. Fixed fire-extinguishing installation not required by these Regulations** In every ship where a fixed fire extinguishing	

			installation not required by these regulations is provided, such an installation shall be **to the satisfaction of the Director**.	
40.	44	0055	**Merchant Shipping (Safety) (Fire Protection) (Ships Built on or After 1 September 1984) Regulations (Cap. 369Y)** **49. Cargo tank protection** (3) (a) Every inert gas system provided in accordance with this regulation shall be designed, constructed and tested **to the satisfaction of the Director**. It shall be designed and operated so as to render and keep the atmosphere of the cargo tanks including the slop tanks non-flammable at all times, except where such tanks are to be gas free. (b) In the event that the inert gas system is unable to meet the operational requirement set out above and it has been assessed that it is impractical to effect a repair, then cargo discharge, deballasting and necessary tank cleaning may only be resumed when the "emergency procedures" laid down in the "Guidelines for Inert Gas Systems" are complied with. (8) Where a liquid cargo (other than one of those referred to in subregulation (2)) which presents particular fire hazards is intended to be carried a means or system of fire extinguishing appropriate to	The owner or master of a ship will not be convicted because the ship fails to comply with regulation 49(8), 75A(3), 91A(3), 112A(3), 125(1)(f) or (5), 128A(3) or 142(1)(f) or (4) unless the prosecution proves that – (a) the *Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 49(8), 75A(3), 91A(3), 112A(3), 125(1)(f) or (5), 128A(3) or 142(1)(f) or (4); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 49(8), 75A(3), 91A(3), 112A(3), 125(1)(f) or (5), 128A(3) or 142(1)(f) or (4). The owner or master of a ship will not be convicted because the ship fails to satisfy the *Director pursuant to regulation

			the cargo to be carried shall be provided **to the satisfaction of the Director**. **66. Fixed fire extinguishing systems not required by these regulations** In every ship where a fixed extinguishing system not required by these regulations is provided, such a system shall be **to the satisfaction of the Director**, shall be installed outside the space or spaces protected by such systems and shall be so arranged that a fire in the space or spaces protected will not put any such system out of action. **75A. Helicopter decks** (3) If the space below the helicopter deck is of a high fire risk, the insulation standard shall be **to the satisfaction of the Director**. **91A. Helicopter decks** (3) If the space below the helicopter deck is of a high fire risk, the insulation standard shall be **to the satisfaction of the Director**. **112A. Helicopter decks** (3) If the space below the helicopter deck is of a high fire risk, the insulation standard shall be **to the satisfaction of the Director**. **125. Means of escape** (1) In every ship stairways and ladderways shall be arranged so as to provide ready means of escape to the lifeboat and liferaft embarkation deck from all accommodation spaces, service spaces and	43(3)(a), 66 or 125(2) unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 49(3)(a), 66 or 125(2); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 49(3)(a), 66 or 125(2). * "Director" means the Director of Marine.

			other spaces in which the crew are normally employed. In particular the following shall be complied with- (a) at all levels of accommodation there shall be provided at least 2 widely separated means of escape from each restricted space or group of spaces; (b) below the lowest open deck such escapes shall be by means of stairways except that one of these stairways may be replaced by a trunked vertical ladder; (c) above the lowest open deck the means of escape shall be stairways or doors to an open deck or a combination thereof; (d) one of the means of escape may be dispensed with in an exceptional case having regard to the nature and location of the space and to the number of persons who normally might be accommodated or employed there; (e) no dead-end corridors having a length of more than 7 metres shall be permitted; a dead-end corridor is a corridor or part of a corridor from which there is only one escape route; (f) the width and continuity of the means of escape shall be **to the satisfaction of the Director**; and (g) if a radio office has no direct access to the open deck, 2 means of escape	

			from such office shall be provided; the Director may permit one of these escapes to be an opening type window or sidescuttle of sufficient size. (2) In all cargo spaces intended for the carriage of motor vehicles with fuel in their tanks for their own propulsion where the crew is normally employed the number and locations of escape routes to the open deck shall be **to the satisfaction of the Director** but shall in no case be less than 2 and shall be as widely separated as possible. (5) From machinery spaces other than machinery spaces of Category A, escape routes shall be provided **to the satisfaction of the Director** having regard to the nature and location of the space and the number of persons normally employed in that space. **128A. Helicopter decks** (3) If the space below the helicopter deck is of a high fire risk, the insulation standard shall be **to the satisfaction of the Director**. **142. Means of escape** (1) In every ship stairways and ladderways shall be arranged so as to provide ready means of escape to the lifeboat and liferaft embarkation deck from all accommodation spaces, service spaces and other spaces in which the crew are normally employed. In particular the following shall be complied with- (a) at all levels of accommodation there shall be provided at least 2 widely	

			separated means of escape from each restricted space or group of spaces; (b) below the lowest open deck such escapes shall be by means of stairways except that one of these stairways may be replaced by a trunked vertical ladder; (c) above the lowest open deck the means of escape shall be stairways or doors to an open deck or a combination thereof; (d) one of the means of escape may be dispensed with in an exceptional case having regard to the nature and location of the space and to the number of persons who normally might be accommodated or employed there; (e) no dead-end corridors having a length of more than 7 metres shall be permitted; a dead-end corridor is a corridor or part of a corridor from which there is only one escape route; (f) the width and continuity of the means of escape shall be **to the satisfaction of the Director**; (g) if a radio office has no direct access to the open deck, 2 means of escape from such office shall be provided; the Director may permit one of these escapes to be an opening type window or sidescuttle of sufficient size. (4) From machinery spaces other than those of	

			Category A, escape routes shall be provided **to the satisfaction of the Director** having regard to the nature and location of the space and the number of persons normally employed in that space.	
41.	45	0056	**Merchant Shipping (Safety) (Passenger Ship Construction and Survey) (Ships Built on or after 1 September 1984) Regulations (Cap. 369AM)** **14. Openings in watertight bulkheads, etc.** (1) (a) This regulation applies to every Hong Kong passenger ship to which these regulations apply except post 1992 ships. (L.N. 139 of 1994) (b) In every ship of Classes I, II and II(A) the number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship and means shall be provided for closing these openings **to the satisfaction of the Director**.	The owner or master of a ship will not be convicted for contravening regulation 14(1)(b) because the ship fails to satisfy the Director pursuant to regulation 14(1)(b) unless the prosecution proves that – (a) the *Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 14(1)(b); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 14(1)(b). * "Director" means the Director of Marine.
42.	46	0057	**Merchant Shipping (Safety) (Gmdss Radio Installations) Regulation (Cap. 369AR)** **15. Serviceability and maintenance requirements** (3) Adequate information **to the satisfaction of the Director** shall be provided on every ship to	The owner or master of a ship will not be convicted because the ship fails to comply with section 15(3) or (4) unless the prosecution proves that – (a) the *Director has, before the failure, specified to the owner or master how

			enable the equipment to be properly operated and maintained. (4) Adequate tools and spares **to the satisfaction of the Director** shall be provided on every ship to enable the equipment to be maintained and the Director may specify in a Merchant Shipping Notice the tools and spares to be provided on Hong Kong ships.	the Director is to be satisfied for the purposes of section 15(3) or (4); or (b) the owner or master has caused or permitted the ship to proceed to sea without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of section 15(3) or (4). * "Director" means the Director of Marine.
43.	47	0058	**Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A)** **42. Construction of taximeter** (2) Every taximeter shall be so constructed that- (a) it may be sealed **to the satisfaction of the Commissioner**; (b) the amount of fare calculated by time or distance or a combination of time and distance as prescribed is indicated on the fare dial; (c) the amount of additional fares in progressive increments of the lowest fare as prescribed is indicated on the fare dial; and (d) the height of the figures indicating the fare and additional fares is not less than 10 millimetres.	A person will not be convicted for contravening regulation 121(1) because the taxi concerned fails to comply with regulation 46(2) to the satisfaction of the *Commissioner unless the prosecution proves that – (a) the Commissioner has, before the taxi is so used, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 42(2) or 43(2) or paragraph 3 of Part II of the Sixth Schedule; or (b) the person has so used or caused or permitted to be so used the taxi without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the taxi is so used, as to how the Commissioner is

			43. Taximeter drive (2) All cable and taximeter gear box or transducer connections shall be capable of being sealed **to the satisfaction of the Commissioner**. **46. Plates on taxis** (2) Every plate referred to in paragraph (1) shall comply with the provisions of Part II of the Sixth Schedule, **Sixth Schedule Plates on taxis** 3. Subject to the provisions of regulation 46 every such plate shall be affixed to the vehicle **to the satisfaction of the Commissioner**.	to be satisfied for the purposes of regulation 42(2) or 43(2) or paragraph 3 of Part II of the Sixth Schedule. A person will not be convicted for contravening regulation 121(3) because the taxi concerned does not comply with regulations 42(2)(a) and 43(2) unless the prosecution proves that – (a) the *Commissioner has, before the taxi is so used, specified to the person how the Commissioner is to be satisfied for the purposes of regulation 42(2)(a) or 43(2); or (b) the person has so used or suffered or permitted to be so used the taxi without writing to the Commissioner to ascertain, and ascertaining from the Commissioner, before the taxi is so used, as to how the Commissioner is to be satisfied for the purposes of regulation 42(2)(a) or 43(2). * "Commissioner" means the Commissioner for Transport.
44.	49	0060	**Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413A)** **14. Oil discharge monitoring and control system and**	The owner or master of a Hong Kong ship will not be convicted for contravening regulation 14(3)(b) because the ship fails

			oily-water separating and oil filtering equipment (3) Subject to paragraph (4) of this regulation- (a) paragraphs (1) and (2) shall not apply to a ship engaged exclusively- (i) on voyages within the special areas; or (ii) on voyages within the waters of Hong Kong, if- (A) the Director is satisfied that the ship is fitted with a holding tank having a volume adequate for the total retention on board of the oily bilge water; (B) all oily bilge water is retained on board for subsequent discharge to reception facilities; (C) the Director is satisfied that adequate reception facilities are available to receive such oily bilge water at the place of discharge; (D) the IOPP or HKOPP Certificate issued in respect of the ship is endorsed to the effect that the ship is exclusively engaged on voyages of a type specified in sub-sub-paragraph (i) or (ii); and (E) the quantity, time and port of the discharge are recorded in the Oil Record Book; or (L.N. 177 of 1991)	to comply with that regulation unless the prosecution proves that – (a) the *Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of regulation 14(3)(b); or (b) the owner or master has caused or permitted the ship to proceed to sea or to operate within Hong Kong waters without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of regulation 14(3)(b). The owner or master of a ship will not be convicted for contravening regulation 20(2) because the ship fails to comply with that regulation to the satisfaction of the Certifying Authority unless the prosecution proves that – (a) the *Certifying Authority has, before the failure, specified to the owner or master how the Certifying Authority is to be satisfied for the purposes of paragraph 4.1.2 of Schedule 6; or (b) the owner or master has caused or permitted the ship to proceed to sea or to operate within Hong Kong waters

			(b) ships of less than 400 GRT (other than an oil tanker) shall be equipped so far as practicable and reasonable, (in the case of Hong Kong ships **to the satisfaction of the Director**), with installations to ensure the storage of oil or oily mixtures on board and their discharge to reception facilities, or to ensure the discharge of such mixtures is in accordance with regulation 12. **20. Requirements for oil tankers with dedicated dean ballast tanks** (2) The arrangements and operational procedures for dedicated clean ballast tanks shall comply with the requirements of Schedule 6 hereto. **21. Requirements for crude oil washing** (2) The crude oil washing installation and associated equipment and arrangements (including qualification of personnel) shall comply with the requirements and specifications set out in Schedule 7 hereto. **Schedule 6 Specification for oil tankers with dedicated clean ballast tanks** 4.1.2 The selection of the dedicated clean ballast tanks shall be such that the hull stresses in the ballast and loaded conditions are **to the satisfaction of a Certifying Authority**.	without writing to the Certifying Authority to ascertain, and ascertaining from the Certifying Authority, before the failure, as to how the Certifying Authority is to be satisfied for the purposes of paragraph 4.1.2 of Schedule 6. The owner or master of a ship will not be convicted for contravening regulation 21(2) because the ship fails to comply with that regulation to the satisfaction of the Certifying Authority unless the prosecution proves that – (a) the Certifying Authority has, before the failure, specified to the owner or master how the Certifying Authority is to be satisfied for the purposes of paragraph 4.2.3, 4.2.6, 4.4.1 or 7 of Schedule 7; or (b) the owner or master has caused or permitted the ship to proceed to sea or to operate within Hong Kong waters without writing to the Certifying Authority to ascertain, and ascertaining from the Certifying Authority, before the failure, as to how the Certifying Authority is to be satisfied for the purposes of paragraph

			Schedule 7 4.2.3 Tank washing machines shall be mounted in each cargo tank and the method of support shall be **to the satisfaction of the Certifying Authority**. Where the tank washing machines are positioned well below the deck level to cater for protuberances in the tank, consideration may need to be given to additional support for the machine and its supply piping. 4.2.6 The number and location of the tank washing machines shall be **to the satisfaction of the Certifying Authority**. 4.4.1 The design of the system for stripping crude oil from the bottom of every cargo tank shall be **to the satisfaction of the Certifying Authority**. 5.1 The training requirements of ships' personnel engaged in the crude oil washing of tankers shall be **to the satisfaction of the Director**. 7. OPERATIONS AND EQUIPMENT MANUAL The Operations and Equipment Manual shall be **to the satisfaction of the Certifying Authority** and shall contain the following information and operational instructions-	4.2.3, 4.2.6, 4.4.1 or 7 of Schedule 7. * "Certifying Authority" means the Director of Marine or any person authorised by the Secretary for Transport and Housing. The owner or master of a ship will not be convicted for contravening regulation 21(2) because the ship fails to comply with that regulation to the satisfaction of the Director unless the prosecution proves that – (a) the Director has, before the failure, specified to the owner or master how the Director is to be satisfied for the purposes of paragraph 5.1 of Schedule 7; or (b) the owner or master has caused or permitted the ship to proceed to sea or to operate within Hong Kong waters without writing to the Director to ascertain, and ascertaining from the Director, before the failure, as to how the Director is to be satisfied for the purposes of paragraph 5.1 of Schedule 7. * "Director" means the Director of Marine.
45.	50	0075	**Entertainment Special Effects (General)**	A person will not be convicted for

			<u>Regulation (Cap. 560A)</u> **32. Requirements to be complied with by person holding store licence** (1) In addition to any other conditions specified in a store licence, the holder of a store licence shall ensure that- (a) the store and its fittings and equipment are maintained at all times in good order **to the satisfaction of the Authority**; (b) except with the permission in writing of the Authority, no alteration or addition to the store or its fittings or equipment shall be made which may result in a deviation in any material particular from the drawing or plan of the store, or from the fittings or equipment of the store approved by the Authority; (c) unless access to the store is required, the store, when containing any pyrotechnic special effects materials, shall be kept securely locked; (d) all proper precautions have been taken to prevent- (i) fire and explosion in the store; (ii) unauthorized persons from obtaining access to the store; (e) the store and the designated area, as the case may be, are provided with such fire extinguishing equipment as the Authority may require;	contravening section 32(1)(a) unless the prosecution proves that – (a) the *Authority has, before the failure, specified to the person how the Authority is to be satisfied for the purposes of subsection (1)(a); or (b) the person has caused or permitted the store, fittings or equipment to be used without writing to the Authority to ascertain, and ascertaining from the Authority, before the failure, as to how the Authority is to be satisfied for the purposes of subsection (1)(a). A person will not be convicted for contravening section 32(1)(g)(i) unless the prosecution proves that – (a) the *Authority has, before or as soon as practicable after imposing the requirement, specified to the person how the Authority is to be satisfied for the purposes of subsection (1)(g)(i); or (b) after the requirement is imposed on the person, the person has caused or permitted the store to be used without writing to the Authority to ascertain, and ascertaining from the Authority, as to how the Authority is to be satisfied for the purposes of

			(f) all proper precautions have been taken to exclude water from the store if the store contains pyrotechnic special effects materials which may become dangerous upon interaction with water; and (g) in the case of a non-movable store- (i) the store has a security alarm system installed **to the satisfaction of the Authority**; (ii) the store or the building in which the store constitutes a part has an efficient lightning conductor, when so required by the Authority.	subsection (1)(g)(i). * "Authority" means the Entertainment Special Effects Licensing Authroity.