

L.N. 252 of 2018

**Merchant Shipping (Safety) (Fire Protection)
(Ships Built Before 25 May 1980) (Amendment)
Regulation 2018**

(Made by the Secretary for Transport and Housing under sections 99, 107, 112 and 112B of the Merchant Shipping (Safety) Ordinance (Cap. 369))

1. Commencement

This Regulation comes into operation on 1 March 2019.

2. Merchant Shipping (Safety) (Fire Protection) (Ships Built Before 25 May 1980) Regulations amended

The Merchant Shipping (Safety) (Fire Protection) (Ships Built Before 25 May 1980) Regulations (Cap. 369 sub. leg. W) are amended as set out in sections 3 to 6.

3. Regulation 1 amended (citation, interpretation and application)

- (1) Regulation 1(2), definition of *dangerous goods of Classes 1 to 5*—

Repeal

“goods so classed in the Merchant Shipping (Safety) (Dangerous Goods) Regulations (Cap. 369 sub. leg.);”

Substitute

“dangerous goods classified as class 1, 2, 3, 4 or 5 in the IMDG Code;”

- (2) Regulation 1(2)—

Add in alphabetical order

“**IMDG Code** (《海運危險貨物規則》) means the International Maritime Dangerous Goods Code adopted by the International Maritime Organization by Resolution MSC.122(75), as from time to time revised or amended by any revision or amendment that applies to Hong Kong;”.

4. Regulation 57 amended (additional requirements for ships carrying explosives)

Regulation 57(1)—

Repeal

“regulation 12(1) of the Merchant Shipping (Safety) (Dangerous Goods) Regulations (Cap. 369 sub. leg.)”

Substitute

“7.1.4.4.5 in Chapter 7.1 of the IMDG Code”.

5. Regulation 75 substituted

Regulation 75—

Repeal the regulation

Substitute

“75. Offences

If regulation 3(5) or (6)(a), (b), (d) or (f), 10, 12(3), 35, 38(7), 41(9), 44(2) (in so far as it relates to the provision of fireman’s outfit), 52 or 69 is contravened, the owner and the master of the ship concerned each commits an offence and is liable to a fine at level 4 and to imprisonment for 2 years.”.

6. Regulation 76 added

After regulation 75—

Add

“76. Several regulations are fire-fighting appliances regulations

Regulations 3 (except subregulations (5) and (6)(a), (b), (d) and (f)), 4, 5, 6, 7, 8, 9, 9A, 11, 12 (except subregulation (3)), 13, 14, 15, 16, 29, 30, 31, 32, 33, 34, 34A, 36, 37, 38 (except subregulation (7)), 39, 40, 41 (except subregulation (9)), 42, 43, 44 (except subregulation (2) in so far as it relates to the provision of fireman’s outfit), 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 70, 71, 72 and 73 are fire-fighting appliances regulations for the purposes of section 44 of the Ordinance.”.

Frank CHAN Fan
Secretary for Transport and
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4 December 2018

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Fire Protection) (Ships Built Before 25 May 1980) Regulations (Cap. 369 sub. leg. W) to—

- (a) repeal an obsolete reference to a piece of repealed legislation and replace it with a reference to the relevant provision of the International Maritime Dangerous Goods Code; and
- (b) revise the offence provision by distinguishing regulations that are fire-fighting appliances regulations for the purposes of section 44 of the Merchant Shipping (Safety) Ordinance (Cap. 369) from other regulations.