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Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) (Amendment) Regulation 2018

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Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) (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 Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) Regulations amended

The Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) Regulations (Cap. 369 sub. leg. X) are amended as set out in sections 3 to 28.

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

Regulation 1(3)—

Repeal the definition of *dangerous goods*

Substitute

“*dangerous goods* (危險貨物) means dangerous goods as defined by section 1(1) of the Merchant Shipping (Safety) (Dangerous Goods and Marine Pollutants) Regulation (Cap. 413 sub. leg. H);”.

4. Regulation 14 amended

Regulation 14—

Repeal

“14. Regulations 3 to 13 inclusive shall”

Substitute

“14. **Regulations 3 to 13 apply to ships of Class II**
Regulations 3 to 13”.

5. Regulation 15 amended

Regulation 15—

Repeal

“15. Regulations 3 to 13 inclusive shall apply to ships of Class IIA”

Substitute

“15. **Regulations 3 to 13 apply to ships of Class II(A) of certain length**
Regulations 3 to 13 apply to ships of Class II(A)”.

6. Regulation 41 amended

Regulation 41—

Repeal

“41. (1) This”

Substitute

“41. **Fire appliances for ships of Class VII of under 500 tons**
(1) This”.

7. Regulation 42 amended

Regulation 42—

Repeal

“**42.** (1) Regulations 31 to 40 inclusive shall”

Substitute

“**42. Regulations 31 to 40 apply to ships of Class VII(A)**

(1) Regulations 31 to 40”.

8. Regulation 43 amended

Regulation 43—

Repeal

“**43.** Regulations 31 and 32(1) and regulations 34 to 40 inclusive shall”

Substitute

“**43. Certain regulations apply to tankers of Class VII(T) of 500 tons or over**

Regulations 31 and 32(1) and regulations 34 to 40”.

9. Regulation 44 amended

Regulation 44—

Repeal

“**44.** Every”

Substitute

“**44. Fixed deck foam system**

Every”.

10. Regulation 45 amended

Regulation 45—

Repeal

“45. Every”

Substitute

“45. **Mobile foam appliance**

Every”.

11. Regulation 46 amended

Regulation 46—

Repeal

“46. (1) Subject”

Substitute

“46. **Inert gas system**

(1) Subject”.

12. Regulation 47 amended

Regulation 47—

Repeal

“47. Notwithstanding the provisions of regulation 46”

Substitute

“47. **Tanker of Class VII(T) operating with tank cleaning
procedure using crude oil washing**

Despite regulation 46,”.

13. Regulation 48 amended

Regulation 48—

Repeal

“48. (1) Other”

Substitute

“48. Alternative fixed fire extinguishing installations

(1) Other”.

14. Regulation 49 amended

Regulation 49—

Repeal

“49. In”

Substitute

“49. Fixed fire extinguishing system for pump room

In”.

15. Regulation 50 amended

Regulation 50—

Repeal

“50. Regulation 41 shall apply”

Substitute

**“50. Certain regulations apply to tankers of Class VII(T) of
under 500 tons**

Regulation 41 applies”.

16. Regulation 53 amended

Regulation 53—

Repeal

“**53.** Regulations 31 to 40 inclusive shall”

Substitute

“**53. Regulations 31 to 40 apply to ships of Class VIII of 500 tons or over**

Regulations 31 to 40”.

17. Regulation 54 amended

Regulation 54—

Repeal

“**54.** Regulation 41 shall apply”

Substitute

“**54. Regulation 41 applies to ships of Class VIII of 150 tons or over but under 500 tons**

Regulation 41 applies”.

18. Regulation 55 amended

Regulation 55—

Repeal

“**55.** (1) This”

Substitute

“**55. Fire appliances for ships of Class VIII of under 150 tons**

(1) This”.

19. Regulation 56 amended

Regulation 56—

Repeal

“**56.** (1) Regulations 53 to 55 inclusive shall”

Substitute

“**56. Regulations 53, 54 and 55 apply to ships of Classes VIII(A), IX and IX(A)**

(1) Regulations 53, 54 and 55”.

20. Regulation 57 amended

Regulation 57—

Repeal

“**57.** (1) Regulation 53 shall apply to tankers of Class VIII(T) of 500 tons or over as they apply”

Substitute

“**57. Certain regulations apply to tankers of Class VIII(T) of 500 tons or over**

(1) Regulation 53 applies to tankers of Class VIII(T) of 500 tons or over as it applies”.

21. Regulation 58 amended

Regulation 58—

Repeal

“**58.** Regulation 54 shall apply”

Substitute

**“58. Certain regulations apply to tankers of Class VIII(T)
Regulation 54 applies”.**

22. Regulation 59 amended

Regulation 59—

Repeal

“59. Regulation 55 shall apply”

Substitute

**“59. Certain regulations apply to tankers of Class VIII(T) of
under 150 tons**

Regulation 55 applies”.

**23. Cross-heading before regulation 60 amended (tankers of Class
VIII(A)(I) and IX(A)(T))**

Cross-heading before regulation 60—

Repeal

“Class VIII(A)(I)”

Substitute

“Classes VIII(A)(T)”.

24. Regulation 60 amended

Regulation 60—

Repeal

“60. (1) Subject”

Substitute

“60. Certain regulations apply to tankers of Classes VIII(A)(T) and IX(A)(T)

(1) Subject”.

25. Regulation 62 amended

Regulation 62—

Repeal

“62. (1) Regulations 53 to 55 inclusive shall”

Substitute

“62. Regulations 53, 54 and 55 apply to ships of Class XI

(1) Regulations 53, 54 and 55”.

26. Regulation 64 amended (additional requirements for ships carrying explosives)

(1) Regulation 64(1)—

Repeal

“regulation 12 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”.

(2) After regulation 64(2)—

Add

“(3) In this regulation—

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.”.

27. Regulation 77 substituted

Regulation 77—

Repeal the regulation

Substitute

“77. Offences

If regulation 11(7), (8), (9) or (10)(a) or (d), 12, 39, 41(7), 60(1A) or 71 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.”.

28. Regulation 78 added

After regulation 77—

Add

“78. Several regulations are fire-fighting appliances regulations

Regulations 3, 4, 5, 6, 7, 8, 9, 10, 10A, 11 (except subregulations (7), (8), (9) and (10)(a) and (d)), 13, 14, 15, 16, 17, 18, 19, 31, 32, 33, 34, 35, 36, 37, 37A, 38, 40, 41 (except subregulation (7)), 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 51A, 51B, 52, 53, 54, 55, 56, 57, 58, 59, 60 (except subregulation (1A)), 62, 64, 65, 66, 67, 68, 69, 72, 73, 74 and 75 are fire-fighting appliances regulations for the purposes of section 44 of the Ordinance.”.

Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980
but Before 1 September 1984) (Amendment) Regulation 2018

L.N. 253 of 2018

B6647

Frank CHAN Fan
Secretary for Transport and
Housing

4 December 2018

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Fire Appliances) (Ships Built On or After 25 May 1980 but Before 1 September 1984) Regulations (Cap. 369 sub. leg. X) to—

- (a) amend the definition of *dangerous goods*;
- (b) 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;
- (c) 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;
- (d) add section headings for certain regulations; and
- (e) make minor textual amendments.