

L.N. 254 of 2018

Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September 1984) (Amendment) Regulation 2018

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Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September 1984) (Amendment) Regulation 2018

(Made by the Secretary for Transport and Housing under sections 99, 101, 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 On or After 1 September 1984) Regulations amended

The Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. Y) are amended as set out in sections 3 to 31.

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

- (1) Regulation 1(3), definition of “*A*” *Class division*, paragraph (c)—

Repeal

“test; and”

Substitute

“test;”.

- (2) Regulation 1(3), definition of “*A*” *Class division*, paragraph (d)—

Repeal

“139°C”

Substitute

“139°C (for a pre-1998 ship) or 140°C (for a post-1998 ship)”.

- (3) Regulation 1(3), definition of “*A*” *Class division*, paragraph (d), after “minutes;”—

Add

“and”.

- (4) Regulation 1(3), definition of “*A*” *Class division*, after paragraph (d)—

Add

“(e) for a post-1998 ship—of a type approved by the Administration in accordance with the Fire Test Procedures Code;”.

- (5) Regulation 1(3), definition of “*B*” *Class division*, paragraph (b)—

Repeal

“139°C”

Substitute

“139°C (for a pre-1998 ship) or 140°C (for a post-1998 ship)”.

- (6) Regulation 1(3), definition of “*B*” *Class division*, paragraph (b)—

Repeal

“minutes; and”

Substitute

“minutes;”.

- (7) Regulation 1(3), definition of “*B*” *Class division*, paragraph (c), after “138;”—

Add

“and”.

- (8) Regulation 1(3), definition of “**B**” *Class division*, after paragraph (c)—

Add

“(d) for a post-1998 ship—of a type approved by the Administration in accordance with the Fire Test Procedures Code;”.

- (9) Regulation 1(3), definition of *central control station*, paragraph (f)—

Repeal

“opening and closing”

Substitute

“closures”.

- (10) 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);”.

- (11) Regulation 1(3)—

Repeal the definition of *non-combustible material*

Substitute

“*non-combustible material* (非可能燃燒物料) means—

- (a) for a pre-1998 ship—a material that, when heated to a temperature of 750°C in a test carried out in accordance with British Standard Specification 476: Part 4: 1970, neither flames for longer than 10 seconds duration, nor raises

either its internal temperature or the temperature of the test furnace more than 50°C above 750°C; or

- (b) for a post-1998 ship—a material that, when heated to a temperature of approximately 750°C, neither burns nor gives off flammable vapours in a quantity that is sufficient for self-ignition, as determined in accordance with the Fire Test Procedures Code;”.

- (12) Regulation 1(3), definition of *rooms containing furniture and furnishings of restricted fire risk*—

Repeal paragraphs (c), (d) and (e)

Substitute

- “(c) all draperies, curtains and other suspended textile materials—
- (i) for a pre-1998 ship—have the qualities of resistance to the propagation of flame in accordance with the requirement of Type B performance of British Standard 5867: Part 2: 1980; or
 - (ii) for a post-1998 ship—the qualities of resistance to the propagation of flame of which are not inferior to those of wool of mass 0.8 kilograms per square metre, as determined in accordance with the Fire Test Procedures Code;
- (d) for—
- (i) a pre-1998 ship—the surface of all floor coverings has the qualities of resistance to the propagation of flame to the satisfaction of the Director; or

- (ii) a post-1998 ship—the material of all floor coverings is of low flame spread characteristics;
- (e) for—
 - (i) a pre-1998 ship—the upholstered parts of all furniture have the qualities of resistance to the ignition and propagation of flame to the satisfaction of the Director; or
 - (ii) a post-1998 ship—all furniture that is upholstered furniture has the qualities of resistance to the ignition and propagation of flame, as determined in accordance with the Fire Test Procedures Code; and”.
- (13) Regulation 1(3), definition of *rooms containing furniture and furnishings of restricted fire risk*, after paragraph (e)—
Add
“(f) for a post-1998 ship—all bedding components have the qualities of resistance to the ignition and propagation of flame, as determined in accordance with the Fire Test Procedures Code;”.
- (14) Regulation 1(3), definition of *standard fire test*—
Repeal
“means a test”
Substitute
“means—
 - (a) for a pre-1998 ship—a test”.
- (15) Regulation 1(3), definition of *standard fire test*, paragraph (a), after “925°C;”—
Add
“or”.

- (16) Regulation 1(3), definition of *standard fire test*, after paragraph (a)—

Add

“(b) for a post-1998 ship—a test in which the specimens of the relevant bulkheads or decks are exposed in a test furnace to temperatures corresponding approximately to the standard time-temperature curve, in accordance with the test methods referred to in the Fire Test Procedures Code;”.

- (17) Regulation 1(3)—

Repeal the definition of *International Maritime Dangerous Goods Code*.

- (18) Regulation 1(3)—

Add in alphabetical order

“*Administration* (主管機關) means—

- (a) the Director; or
- (b) the government of a place outside Hong Kong that is a Convention country;

alteration (改動), for the purposes of the definition of *constructed*, means any repair, alteration or modification that is of a major character;

combustible material (可能燃燒物料) is a material other than a non-combustible material;

constructed (建造), in relation to a ship, means the stage at which—

- (a) the keel of the ship is laid;

- (b) construction identifiable with the ship begins and assembly of the ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is less;
- (c) if the ship has undergone only one alteration—the alteration commences; or
- (d) if the ship has undergone 2 or more alterations—the latest alteration commences;

Convention country (公約國) means a country that is a party to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, or any convention that replaces that Convention or any successor convention, as amended from time to time and as applicable to Hong Kong;

Fire Test Procedures Code (《耐火測試程序規則》) means the International Code for Application of Fire Test Procedures adopted by the International Maritime Organization by Resolution MSC.61(67);

helicopter facility (直升機設施) has the meaning given by the Standards for On-board Helicopter Facilities adopted by the International Maritime Organization by Resolution A.855(20);

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;

IMSBC Code (《固體散裝貨規則》) means the International Maritime Solid Bulk Cargoes Code adopted by the International Maritime Organization

by Resolution MSC.268(85) on 4 December 2008, as from time to time revised or amended by any revision or amendment that applies to Hong Kong;

low flame spread characteristics (低火焰蔓延特性), in relation to a material, means the material being so described is able to adequately restrict the spread of flame, as determined in accordance with the Fire Test Procedures Code;

post-1998 ship (1998年後建造的船舶) means a ship constructed on or after 1 July 1998;

pre-1998 ship (1998年前建造的船舶) means a ship constructed before 1 July 1998;

specified Chapter II-1 (《第 II-1 章指明版》) means Chapter II-1 of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by the following instruments adopted by the International Maritime Organization that apply to Hong Kong—

- (a) the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 17 February 1978;
- (b) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 11 November 1988;
- (c) Resolutions MSC.1(XLV), MSC.2(XLV), MSC.6(48), MSC.11(55) and MSC.12(56);
- (d) Resolution 1 of the Conference of Contracting Governments to the International Convention

for the Safety of Life at Sea, 1974 on the Global Maritime Distress and Safety System adopted on 9 November 1988;

- (e) Resolutions MSC.13(57), MSC.19(58), MSC.26(60) and MSC.27(61);
- (f) Resolution 1 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 adopted on 29 November 1995; and
- (g) Resolutions MSC.47(66), MSC.57(67) and MSC.65(68);

specified Chapter II-2 (《第 II-2 章指明版》) means Chapter II-2 of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by the following instruments adopted by the International Maritime Organization that apply to Hong Kong—

- (a) the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 17 February 1978;
- (b) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 adopted on 11 November 1988;
- (c) Resolutions MSC.1(XLV), MSC.6(48), MSC.13(57), MSC.22(59), MSC.24(60), MSC.27(61) and MSC.31(63);

(d) Resolution 1 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 adopted on 29 November 1995; and

(e) Resolution MSC.57(67);”.

(19) Regulation 1(3A)—

Repeal

“subregulation (3)”

Substitute

“subregulations (3) and (5)”.

(20) Regulation 1(4)—

Repeal paragraphs (e) and (f)

Substitute

“(e) the IMDG Code;
(f) the IMSBC Code;”.

(21) Regulation 1(5)(b)(ii)(D)—

Repeal the full stop

Substitute a semicolon.

(22) After regulation 1(5)(b)(ii)—

Add

“(iii) a ship constructed on or after 1 July 2002.”.

4. Regulation 11 amended (firemen’s outfits)

(1) Regulation 11(1)(b)(iii)—

Repeal

“passengers,”

Substitute

“passengers—subject to subregulation (1A),”.

(2) After regulation 11(1)—

Add

“(1A) Subregulation (1)(b)(iii) does not apply in relation to—

- (a) the stairway enclosures of a post-1998 ship that constitute individual main vertical zones; or
- (b) the main vertical zones in the fore or aft end of the ship that do not contain a space classified in regulation 78(3)(b) as Category (6), (7), (8) or (12).”.

5. Regulation 31 amended (fixed fire extinguishing arrangements in cargo spaces)

(1) Regulation 31(1), after “goods”—

Add

“referred to in regulation 53.1.2 of specified Chapter II-2,”.

(2) Regulation 31(2)(b)—

Repeal

“any ship”

Substitute

“a pre-1998 ship”.

6. Regulation 32 amended (special requirements for cargo space ventilation)

After regulation 32(2)—

Add

“(3) All ventilation openings of a post-1998 ship must comply with the safety requirements specified in regulation 53.2.5 of specified Chapter II-2.”.

7. Regulation 49 amended (cargo tank protection)

After regulation 49(8)—

Add

“(9) A tanker of Class VII(T) of 500 tons or over must comply with the requirements specified in regulation 59.5 of specified Chapter II-2 on the provision of instruments for measuring flammable vapour concentrations.”.

8. Regulation 75A amended (helicopter decks)

(1) Regulation 75A(1)—

Repeal

“This regulation applies to post 1992 ships and”

Substitute

“Subregulations (2), (3) and (4) apply to a post 1992 ship (other than a post-1998 ship)”.

(2) After regulation 75A(1)—

Add

“(1A) Subregulation (5) applies to a post-1998 ship.”.

(3) After regulation 75A(4)—

Add

“(5) Provisions of helicopter facilities on a ship must be in accordance with the Standards for On-board Helicopter Facilities adopted by the International Maritime Organization by Resolution A.855(20).”.

9. Regulation 76 amended (main vertical zones and horizontal zones)

(1) Regulation 76(1A)—

Repeal

everything after “78.”.

(2) After regulation 76(1A)—

Add

“(1B) An “A-60” Class division referred to in subregulation (1A) may be reduced to an “A-0” Class division if—

(a) for a post October 1994 ship (other than a post-1998 ship)—the space classified in regulation 78(3)(b) as Category (5), (9) or (10) is on one side of the division; or

(b) for a post-1998 ship—

(i) the space classified in regulation 78(3)(b) as Category (5), (9) or (10) is on one side of the division; or

(ii) the fuel oil tanks are on both sides of the division.”.

10. Regulation 78 amended (fire integrity of bulkheads and decks)

(1) Regulation 78(1)—

Repeal

everything after “(5)”

Substitute

“and—

(a) for a pre-1998 ship—tables 1, 2, 2A, 3, 4 and 4A in this regulation; or

(b) for a post-1998 ship—Table 26.1 in regulation 26 of specified Chapter II-2 and table 4A in this regulation.”.

(2) Regulation 78(3)(a)—

Repeal

“or horizontal zones in post October 1994 ships;”

Substitute

“or horizontal zones in a post October 1994 ship (other than a post-1998 ship);”.

(3) Regulation 78, table 2A, after “SHIPS”—

Add

“(OTHER THAN POST-1998 SHIPS)”.

11. Regulation 80 amended (openings in “A” Class divisions)

(1) Regulation 80(6B)(a)—

Repeal

“shall”

Substitute

“(other than a post-1998 ship) must”.

(2) After regulation 80(6B)—

Add

“(6C) A post-1998 ship must comply with the operational requirements on fire doors specified in regulation 30.4 of specified Chapter II-2.”.

(3) Regulation 80(8)—

Repeal

“83(3). The”

Substitute

“83(3). For a pre-1998 ship, the”.

- (4) Regulation 80(8)—

Repeal

“hazard.”

Substitute

“hazard. For a post-1998 ship, the requirements for “A” Class integrity do not apply to exterior doors except the doors referred to in regulation 30.6 of specified Chapter II-2.”.

12. Regulation 82 amended (ventilation systems)

Regulation 82(6)(c)(i)—

Repeal

everything after “constructed”

Substitute

“of—

- (A) for a pre-1998 ship—suitable material having regard to the risk of fire; or
- (B) for a post-1998 ship—material with low flame spread characteristics;”.

13. Regulation 84 amended (restriction of combustible materials)

- (1) Regulation 84(2)(d), before “primary”—

Add

“in a pre-1998 ship.”.

- (2) Regulation 84(2)(d)—

Repeal

“and”.

- (3) After regulation 84(2)(d)—

Add

“(da) in a post-1998 ship, primary deck coverings referred to in regulation 34.8 of specified Chapter II-2 must be of material approved by the Administration in accordance with the Fire Test Procedures Code; and”.

- (4) Regulation 84(3)(a)(iii)—

Repeal

“exceeded; and”

Substitute

“exceeded;”.

- (5) Regulation 84(3)(a)(iv), before “vapour”—

Add

“for a pre-1998 ship—”.

- (6) After regulation 84(3)(a)(iv)—

Add

“(v) for a post-1998 ship—vapour barriers and adhesives used in conjunction with insulation, and insulation of pipe fittings, for cold service systems provided that—

(A) their quantity is kept to the minimum; and

(B) the material of their exposed surfaces is of low flame spread characteristics; and”.

- (7) Regulation 84(3)(b)—

Repeal

everything after “interior”

Substitute

“surfaces—

- (i) for a pre-1998 ship—must not be capable of producing excessive quantities of smoke and toxic products; or
- (ii) for a post-1998 ship—must comply with the requirements specified in regulation 34.7 of specified Chapter II-2.”.

14. Regulation 87 amended (protection of special category spaces and ro/ro cargo spaces)

After regulation 87(1)(ab)—

Add

- “(ac) in a post-1998 ship, if a space containing fuel oil tanks is located below a special category space, the integrity of the deck between the spaces may be reduced to “A-0” standard;”.

15. Regulation 88A added

After regulation 88—

Add

“88A. Protection of certain cargo spaces: post-1998 ships

- (1) This regulation applies to a post-1998 ship.
- (2) The cargo space of a ship intended for carrying motor vehicles with fuel in their tanks must comply with the applicable requirements on permanent openings specified in regulation 38.5 of specified Chapter II-2.

- (3) The ro/ro cargo space of a ship must comply with the applicable requirements on the structural protection specified in regulation 38-1.1 of specified Chapter II-2.
- (4) The closed ro/ro cargo space and the open ro/ro cargo space of a ship must comply with the applicable requirements on the fire protection specified in regulations 38-1.2 and 38-1.3 of specified Chapter II-2.
- (5) Subregulation (4) does not apply to the following spaces that are intended for carrying motor vehicles with fuel in their tanks—
 - (a) a special category space;
 - (b) a ro/ro cargo space.”.

16. Regulation 91A amended (helicopter decks)

- (1) Regulation 91A(1)—

Repeal

“This regulation applies to post 1992 ships and”

Substitute

“Subregulations (2), (3) and (4) apply to a post 1992 ship (other than a post-1998 ship)”.

- (2) After regulation 91A(1)—

Add

“(1A) Subregulation (5) applies to a post-1998 ship.”.

- (3) After regulation 91A(4)—

Add

“(5) Provisions of helicopter facilities on a ship must be in accordance with the Standards for On-board

Helicopter Facilities adopted by the International Maritime Organization by Resolution A.855(20).”.

17. Regulation 96 amended (openings in “A” Class divisions)

- (1) Regulation 96(6A)(a)—

Repeal

“shall”

Substitute

“(other than a post-1998 ship) must”.

- (2) After regulation 96(6A)—

Add

“(6B) A post-1998 ship must comply with the operational requirements on fire doors specified in regulation 30.4 of specified Chapter II-2.”.

- (3) Regulation 96(8)—

Repeal

“99(3). The”

Substitute

“99(3). For a pre-1998 ship, the”.

- (4) Regulation 96(8)—

Repeal

“hazard.”

Substitute

“hazard. For a post-1998 ship, the requirements for “A” Class integrity do not apply to exterior doors except the doors referred to in regulation 30.6 of specified Chapter II-2.”.

18. Regulation 98 amended (ventilation systems)

- (1) Regulation 98(6)(c)(i)—

Repeal

everything after “constructed”

Substitute

“of—

- (A) for a pre-1998 ship—suitable material having regard to the risk of fire; or
- (B) for a post-1998 ship—material with low flame spread characteristics;”.

- (2) After regulation 98(11)—

Add

“(12) For a post-1998 ship, the ventilation arrangements referred to in regulations 16.11.1 and 16.11.2 of specified Chapter II-2 must be tested in accordance with the Fire Test Procedures Code.”.

19. Regulation 100 amended (restriction of combustibile materials)

- (1) Regulation 100(2)(d), before “primary”—

Add

“in a pre-1998 ship.”.

- (2) Regulation 100(2)(d)—

Repeal

“and”.

- (3) After regulation 100(2)(d)—

Add

- “(da) in a post-1998 ship, primary deck coverings referred to in regulation 34.8 of specified Chapter II-2 must be of material approved by the Administration in accordance with the Fire Test Procedures Code; and”.
- (4) Regulation 100(3)(a)(iii)—
Repeal
“exceeded; and”
Substitute
“exceeded;”.
- (5) Regulation 100(3)(a)(iv), before “vapour”—
Add
“for a pre-1998 ship—”.
- (6) Regulation 100(3)(a)(iv), after “exceeded;”—
Add
“and”.
- (7) After regulation 100(3)(a)(iv)—
Add
“(v) for a post-1998 ship—vapour barriers and adhesives used in conjunction with insulation, and insulation of pipe fittings, for cold service systems provided that—
(A) their quantity is kept to the minimum; and
(B) the material of their exposed surfaces is of low flame spread characteristics;”.
- (8) Regulation 100(3)(b)—
Repeal
everything after “interior”

Substitute

“surfaces—

- (i) for a pre-1998 ship—must not be capable of producing excessive quantities of smoke and toxic products; or
- (ii) for a post-1998 ship—must comply with the requirements specified in regulation 34.7 of specified Chapter II-2.”.

20. Regulation 104A added

After regulation 104—

Add

“104A. Protection of certain cargo spaces: post-1998 ships

- (1) This regulation applies to a post-1998 ship.
- (2) The cargo space of a ship intended for carrying motor vehicles with fuel in their tanks must comply with the applicable requirements on permanent openings specified in regulation 38.5 of specified Chapter II-2.
- (3) The ro/ro cargo space of a ship must comply with the applicable requirements on the structural protection specified in regulation 38-1.1 of specified Chapter II-2.
- (4) The closed ro/ro cargo space and the open ro/ro cargo space of a ship must comply with the applicable requirements on the fire protection specified in regulations 38-1.2 and 38-1.3 of specified Chapter II-2.

- (5) Subregulation (4) does not apply to the following spaces that are intended for carrying motor vehicles with fuel in their tanks—
- (a) a special category space;
 - (b) a ro/ro cargo space.”.

21. Regulation 110 amended (means of escape)

- (1) Regulation 110(5A)—

Repeal

everything after “II(A),” and before “the means”.

- (2) After regulation 110(5B)—

Add

“(5C) The crew accommodation areas of a passenger ship carrying more than 36 passengers must comply with the technical requirements on the emergency lighting specified in regulation 28.1.11 of specified Chapter II-2.”.

22. Regulation 112A amended (helicopter decks)

- (1) Regulation 112A(1)—

Repeal

“This regulation applies to a ship which is a post 1992 ship and”

Substitute

“Subregulations (2), (3) and (4) apply to a post 1992 ship (other than a post-1998 ship)”.

- (2) After regulation 112A(1)—

Add

“(1A) Subregulation (5) applies to a post-1998 ship.”.

- (3) After regulation 112A(4)—

Add

“(5) Provisions of helicopter facilities on a ship must be in accordance with the Standards for On-board Helicopter Facilities adopted by the International Maritime Organization by Resolution A.855(20).”.

23. Regulation 119 amended (ventilation systems)

- (1) Regulation 119(4)(c)(i)—

Repeal

everything after “constructed”

Substitute

“of—

- (A) for a pre-1998 ship—suitable material having regard to the risk of fire; or
- (B) for a post-1998 ship—material with low flame spread characteristics;”.

- (2) After regulation 119(9)—

Add

“(10) For a post-1998 ship, the ventilation arrangements referred to in regulations 16.11.1 and 16.11.2 of specified Chapter II-2 must be tested in accordance with the Fire Test Procedures Code.”.

24. Regulation 121 amended (restriction of combustible materials)

- (1) Regulation 121(2)—

Repeal

“Primary”

Substitute

“In a pre-1998 ship, primary”.

- (2) After regulation 121(2)—

Add

“(2A) In a post-1998 ship, primary deck coverings referred to in regulation 49.3 of specified Chapter II-2 must be of material approved by the Administration in accordance with the Fire Test Procedures Code.”.

- (3) Regulation 121(3)—

Repeal

“Paints,”

Add

“In a pre-1998 ship, paints,”.

- (4) After regulation 121(3)—

Add

“(3A) In a post-1998 ship, paints, varnishes and other finishes used on exposed interior surfaces must comply with the requirements specified in regulation 49.2 of specified Chapter II-2.”.

- (5) Regulation 121(4)(a)—

Repeal

“Insulating”

Substitute

“In a pre-1998 ship, insulating”.

- (6) After regulation 121(4)(a)—

Add

“(ab) In a post-1998 ship, insulating materials must be of non-combustible materials except in respect of—

- (i) cargo spaces;

- (ii) refrigerated compartments of service spaces; and
- (iii) vapour barriers and adhesives used in conjunction with insulation, and insulation of pipe fittings, for cold service systems provided that—
 - (A) their quantity is kept to the minimum; and
 - (B) the material of their exposed surfaces is of low flame spread characteristics.”.

25. Regulation 128A amended (helicopter decks)

- (1) Regulation 128A(1)—

Repeal

“This regulation applies to a ship which is a post 1992 ship and”

Substitute

“Subregulations (2), (3) and (4) apply to a post 1992 ship (other than a post-1998 ship)”.

- (2) After regulation 128A(1)—

Add

“(1A) Subregulation (5) applies to a post-1998 ship.”.

- (3) After regulation 128A(4)—

Add

“(5) Provisions of helicopter facilities on a ship must be in accordance with the Standards for On-board Helicopter Facilities adopted by the International Maritime Organization by Resolution A.855(20)”.

26. Regulation 129 amended (exterior boundaries of superstructures and deckhouses)

- (1) After regulation 129(1)—

Add

“(1A) In a post-1998 ship, exterior boundaries of superstructures and deckhouses enclosing accommodation, including overhanging decks that support such accommodation, must be constructed of steel.”.

- (2) Regulation 129(4)—

Repeal

everything after “subregulation (2)”

Substitute

“must be of fixed (non-opening) type.”.

- (3) After regulation 129(4)—

Add

“(5) In a pre-1998 ship, the windows and sidescuttles located in the first tier on the main deck must be fitted with inside covers of steel or other equivalent material.

(6) In a post-1998 ship, windows and sidescuttles (except wheelhouse windows) must be constructed to “A-60” standard.

(7) In a post-1998 ship, a permanent access from a pipe tunnel to the main pump-room must be fitted with a watertight door that complies with the requirements specified in regulation 25-9.2 of specified Chapter II-1 and regulation 56.9 of specified Chapter II-2.”.

27. Regulation 136 amended (ventilation systems)

- (1) Regulation 136(4)(c)(i)—

Repeal

everything after “constructed”

Substitute

“of—

- (A) for a pre-1998 ship—suitable material having regard to the risk of fire; or
- (B) for a post-1998 ship—material with low flame spread characteristics;”.

- (2) After regulation 136(9)—

Add

“(10) For a post-1998 ship, the ventilation arrangements referred to in regulations 16.11.1 and 16.11.2 of specified Chapter II-2 must be tested in accordance with the Fire Test Procedures Code.”.

28. Regulation 143 amended (application and special requirements)

- (1) Regulation 143(1)—

Repeal

everything after “requirements”

Substitute

“set out in subregulation (1AA).”.

- (2) After regulation 143(1)—

Add

“(1AA) The requirements are—

- (a) for a pre-1998 ship—the requirements specified in subregulations (4), (5), (6), (7), (8), (9), (10), (11) and (12) and tables 11, 12 and 13 in this regulation; or
- (b) for a post-1998 ship—the requirements specified in regulations 54.1 and 54.2, and tables 54.1, 54.2 and 54.3, of specified Chapter II-2.”.
- (3) Regulation 143(1A)(b)—
- Repeal**
everything after “54”
- Substitute**
“of specified Chapter II-2.”.
- (4) Regulation 143(2)—
- Repeal**
everything after “to the”
- Substitute**
“IMDG Code.”.
- (5) Regulation 143(4)—
- Repeal**
“the tables”
- Substitute**
“tables 11, 12 and 13 in this regulation”.
- (6) Regulation 143(7)—
- Repeal**
“those specified in the Merchant Shipping (Safety) (Dangerous Goods) Regulations (Cap. 369 sub. leg.).”
- Substitute**

“the classes of dangerous goods specified in the IMDG Code.”.

- (7) Regulation 143, table 12, note g—

Repeal

everything after “contained” and before “as appropriate”

Substitute

“in the IMDG Code or the IMSBC Code”.

- (8) Regulation 143, table 12, note h—

Repeal

everything after “in” and before “the use”

Substitute

“the IMSBC Code.”.

- (9) Regulation 143, table 13, note o—

Repeal

everything after “in”

Substitute

“the IMDG Code or the IMSBC Code as appropriate.”.

29. Regulation 146 substituted

Regulation 146—

Repeal the regulation

Substitute

“146. Offences

If regulation 10(5), (7), (8)(b) or (9)(b), 11, 37, 39(7), 53, 69, 72A, 101(1)(c), 110, 122(3), 125, 139(3), 142 or 143(6)(j), (k) or (m) is contravened in relation to a ship, the owner and the master of the ship each commits an

offence and is liable to a fine at level 4 and to imprisonment for 2 years.”.

30. Regulation 147 added

After regulation 146—

Add

“147. Several regulations are fire-fighting appliances regulations

Regulations 3, 4, 5, 6, 7, 8, 9, 9A, 10 (except subregulations (5), (7), (8)(b) and (9)(b)), 12, 15, 16, 17, 29, 30, 31, 32, 33, 34, 35, 35A, 36, 38, 39 (except subregulations (1) and (7)), 43 (except subregulation (1)), 49, 50, 50A, 51, 52, 54 (except subregulation (1)), 59, 60, 61, 62, 63, 64, 65, 66, 67, 70, 71, 72, 73, 75, 75A, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 88A, 89, 91, 91A, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101 (except subregulation (1)(c)), 102, 103, 104, 104A, 105, 112, 112A, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122 (except subregulation (3)), 123, 124, 128, 128A, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139 (except subregulation (3)), 140, 141 and 143 (except subregulation (6)(j), (k) and (m)) are fire-fighting appliances regulations for the purposes of section 44 of the Ordinance.”.

31. Schedule 14 amended (inert gas systems: standard requirements)

Schedule 14, after paragraph (11)(b)(i)—

Add

“(ia) For a post-1998 ship, positive indication of the operational status of the valves must be provided for the control system.”.

Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September
1984) (Amendment) Regulation 2018

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Frank CHAN Fan
Secretary for Transport and
Housing

4 December 2018

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Fire Protection) (Ships Built On or After 1 September 1984) Regulations (Cap. 369 sub. leg. Y).

2. The main purpose of the Regulation is to implement the requirements of Chapter II-2 of the Annex to the International Convention for the Safety of Life at Sea signed in London on 1 November 1974, as revised or amended by Resolution MSC.57(67) adopted by the International Maritime Organization on 5 December 1996 that are applicable to ships built on or after 1 September 1984 and before 1 July 2002.
3. The Regulation amends the definition of *dangerous goods*. It also repeals an obsolete reference to a piece of repealed legislation and replaces it with a reference to the relevant provision of the International Maritime Dangerous Goods Code.
4. Further, the Regulation creates offences for the newly added requirements and revises 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.