

L.N. 121 of 2020

**Merchant Shipping (Prevention of Pollution by Garbage)
(Amendment) Regulation 2020**

(Made by the Secretary for Transport and Housing under sections 3 and 3A of the Merchant Shipping (Prevention and Control of Pollution) Ordinance (Cap. 413))

1. Commencement

This Regulation comes into operation on 1 October 2020.

2. Merchant Shipping (Prevention of Pollution by Garbage) Regulation amended

The Merchant Shipping (Prevention of Pollution by Garbage) Regulation (Cap. 413 sub. leg. O) is amended as set out in sections 3, 4 and 5.

3. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

“*electronic record book* (電子紀錄簿) means a device or system used for recording in electronic form the matters required to be recorded in a Garbage Record Book under this Regulation;”.

4. Section 11 amended (Garbage Record Books)

(1) After section 11(3)(b)—

Add

“(ba) the Book must be signed in compliance with the applicable requirements in Regulation 10.3.1 of Annex V;”.

(2) After section 11(3)—

Add

“(3A) An electronic record book may be used for recording matters to be recorded in the Book only if the electronic record book is approved by the following authority after taking into account the guidelines developed by IMO—

- (a) for a Hong Kong ship—the Director;
- (b) for a non-Hong Kong ship—the government of a place outside Hong Kong whose flag the ship is entitled to fly; or
- (c) for a fixed or floating platform engaged in the exploration, exploitation or associated offshore processing of sea-bed mineral resources adjacent to the coast over which the coastal state exercises its rights for the purposes of those activities—the government of that state.”.

5. Section 15A added

After section 15—

Add

“15A. Director may recognize organizations to approve electronic record books

- (1) The Director may recognize an organization for approving an electronic record book for a Hong Kong ship, after taking into account the guidelines developed by IMO.

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Section 5

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- (2) For section 11(3A), an electronic record book approved by the organization is regarded as having been approved under that section.”.

Frank CHAN Fan
Secretary for Transport and
Housing

9 June 2020

Explanatory Note

This Regulation amends the Merchant Shipping (Prevention of Pollution by Garbage) Regulation (Cap. 413 sub. leg. O) to give effect to the revisions made to Annex V to the International Convention for the Prevention of Pollution from Ships, 1973, by the International Maritime Organization Resolution MEPC.314(74). The revisions relate to the use of electronic record books on ships and fixed or floating platforms.