

L.N. 151 of 2021

Merchant Shipping (Safety) (Fire-fighting Appliances and Fire Protection) (Amendment) Regulation 2021

(Made by the Secretary for Transport and Housing under sections 99, 101, 107 and 112B of the Merchant Shipping (Safety) Ordinance (Cap. 369))

1. Commencement

This Regulation comes into operation on 15 October 2021.

2. Merchant Shipping (Safety) (Fire-fighting Appliances and Fire Protection) Regulation amended

The Merchant Shipping (Safety) (Fire-fighting Appliances and Fire Protection) Regulation (Cap. 369 sub. leg. BE) is amended as set out in sections 3 to 8.

3. Section 2 amended (interpretation)

(1) Section 2(1), English text, definition of *passenger ship*—

Repeal the full stop

Substitute a semicolon.

(2) Section 2(1)—

Add in alphabetical order

“*cargo spaces* (貨艙) has the meaning given by regulation 3 of Chapter II-2;

ro-ro spaces (滾裝艙間) has the meaning given by regulation 3 of Chapter II-2;

special category spaces (特種艙) has the meaning given by regulation 3 of Chapter II-2;

vehicle spaces (車艙) has the meaning given by regulation 3 of Chapter II-2.”.

4. Part 5 heading substituted

Part 5, heading—

Repeal the heading

Substitute

“Part 5

**Dangerous Goods, Certain Spaces and Motor
Vehicles with Fuel”.**

5. Section 14 amended (carriage of dangerous goods)

- (1) Section 14(6), Chinese text, definition of 《海運危險貨物規則》—

Repeal

“準；”

Substitute

“準。”.

- (2) Section 14(6)—

Repeal the definition of *cargo space*.

6. Section 15 amended (ships having vehicle spaces etc.)

- (1) Section 15(4), English text, definition of *compressed gas fuelled vehicle spaces*—

Repeal the semicolon

Substitute a full stop.

Section 7

- (2) Section 15(4)—
 - (a) definition of *ro-ro spaces*;
 - (b) definition of *special category spaces*;
 - (c) definition of *vehicle spaces*—

Repeal the definitions.

7. Section 15A added

Part 5, after section 15—

Add

“15A. Carrying motor vehicles with fuel in tanks for own propulsion

- (1) A ship must not carry in its cargo spaces (other than ro-ro spaces, special category spaces or vehicle spaces) motor vehicles with fuel in their tanks for their own propulsion unless the conditions specified in regulation 20.2.1.2 of Chapter II-2 are satisfied.
- (2) If subsection (1) is contravened in relation to a ship, the owner and the master of the ship each commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 2 years.”.

8. Section 16 amended (helicopter operations)

- (1) Section 16(2), after “18.2.2”—

Add

“, 18.2.3”.

- (2) After section 16(4)—

Add

“(4A) A ship constructed on or after 1 January 2020 that has a helicopter landing area must comply with the requirement specified in regulation 18.2.3 of Chapter II-2.”.

(3) Section 16(6)—

Repeal

“and (4)”

Substitute

“, (4) and (4A)”.

(4) Section 16(7), English text, definition of *helicopter facility*—

Repeal the full stop

Substitute a semicolon.

(5) Section 16(7)—

Add in alphabetical order

“*helicopter landing area* (直升機降落區域) has the meaning given by regulation 3 of Chapter II-2.”.

Frank CHAN Fan
Secretary for Transport and
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4 August 2021

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Fire-fighting Appliances and Fire Protection) Regulation (Cap. 369 sub. leg. BE) (*principal Regulation*).

2. The main purpose of the Regulation is to give effect to certain revisions to Chapter II-2 of the Annex to the International Convention for the Safety of Life at Sea, 1974 (*Chapter II-2*) that were adopted by the International Maritime Organization by Resolutions MSC.404(96) and MSC.421(98) on 19 May 2016 and 15 June 2017 respectively.
3. A new section 15A is added to the principal Regulation to provide that a ship must not carry in its cargo spaces (other than ro-ro spaces, special category spaces or vehicle spaces) motor vehicles with fuel in their tanks for their own propulsion unless the conditions specified in regulation 20.2.1.2 of Chapter II-2 are satisfied.
4. Section 16 of the principal Regulation is amended to provide that a ship constructed on or after 1 January 2020 that has a helicopter landing area must comply with the requirement specified in regulation 18.2.3 of Chapter II-2.
5. If a provision mentioned in paragraph 3 or 4 is contravened in relation to a ship, the owner and the master of the ship each commits an offence.