

L.N. 99 of 2025

Merchant Shipping (Safety) (Navigational Equipment and Safety of Navigation) (Amendment) Regulation 2025

(Made by the Secretary for Transport and Logistics under sections 100, 107 and 112B of the Merchant Shipping (Safety) Ordinance (Cap. 369))

1. Commencement

This Regulation comes into operation on 1 January 2026.

2. Merchant Shipping (Safety) (Navigational Equipment and Safety of Navigation) Regulation amended

The Merchant Shipping (Safety) (Navigational Equipment and Safety of Navigation) Regulation (Cap. 369 sub. leg. BA) is amended as set out in sections 3, 4 and 5.

3. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

“*company* (公司), in relation to a ship, means any person (other than the owner of the ship) who—

- (a) has assumed responsibility for the operation of the ship; and
- (b) on assuming that responsibility, has agreed to take over all the duties and responsibilities imposed in respect of the ship by the International Management Code for the Safe Operation of Ships and for Pollution Prevention adopted by IMO, as from time to time revised

Section 4

or amended by any revision or amendment that applies to Hong Kong;”.

4. Section 14 amended (plans for cooperation with search and rescue services)

- (1) Section 14(6), English text, definition of *appropriate search and rescue services*, paragraph (b)—

Repeal

“ship;”

Substitute

“ship.”.

- (2) Section 14(6)—

Repeal the definition of *company*.

5. Section 24 amended (information on navigational dangers)

- (1) After section 24(1)—

Add

“(1A) This section also applies to—

- (a) a ship that is involved in the loss of a freight container; or
- (b) a ship of which the master is aware that there is a freight container drifting at sea.”.

- (2) Section 24(2), after “ship”—

Add

“referred to in subsection (1)”.

- (3) Section 24(2)—

Repeal

“4 and 5”

Section 5

Substitute

“5 and 6”.

- (4) After section 24(2)—

Add

“(2A) The master of a ship referred to in subsection (1A) must, by appropriate means without delay and to the fullest extent possible, communicate the information referred to in paragraph 3 of regulation 32 of Chapter V to—

- (a) all the ships in the vicinity;
- (b) the nearest coastal authority with which the master can communicate; and
- (c) if the ship is a ship referred to in subsection (1A)(a)—the Administration.

(2B) The company or the owner of a ship referred to in subsection (1A)(a) must comply with the requirements of paragraph 2.2 of regulation 31 of Chapter V.”.

- (5) Section 24(3), after “information”—

Add

“mentioned in subsection (2)”.

- (6) Section 24(4), after “a ship”—

Add

“referred to in subsection (1)”.

- (7) Section 24(4)—

Repeal

“4”

Substitute

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“5”.

(8) Section 24(5), after “(2),”—

Add

“(2A),”.

(9) After section 24(5)—

Add

“(6) If subsection (2B) is contravened, the company and the owner of the ship concerned each commits an offence and is liable to a fine at level 4.”.

Mable CHAN
Secretary for Transport and
Logistics

21 May 2025

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Navigational Equipment and Safety of Navigation) Regulation (Cap. 369 sub. leg. BA) (*principal Regulation*) to give effect to the amendments to Chapter V of the Annex to the International Convention for the Safety of Life at Sea, 1974 (*Chapter V amendments*) adopted by the Maritime Safety Committee of the International Maritime Organization by Resolution MSC.550(108) on 23 May 2024. The Chapter V amendments mainly relate to the new reporting requirements required for a ship that is involved in the loss of a freight container or a ship of which the master is aware that there is a freight container drifting at sea.

2. This Regulation also adds the definition of *company* to the principal Regulation and creates new offences for the contravention of the new section 24(2A) and (2B).