

L.N. 78 of 2016

**Merchant Shipping (Seafarers) (Medical Stores)
(Amendment) Regulation 2016**

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Merchant Shipping (Seafarers) (Medical Stores) (Amendment) Regulation 2016

(Made by the Secretary for Transport and Housing under sections 96, 100 and 134 of the Merchant Shipping (Seafarers) Ordinance (Cap. 478))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Transport and Housing by notice published in the Gazette.

2. Merchant Shipping (Seafarers) (Medical Stores) Regulation amended

The Merchant Shipping (Seafarers) (Medical Stores) Regulation (Cap. 478 sub. leg. X) is amended as set out in sections 3 to 13.

3. Section 2 amended (interpretation)

(1) Section 2(1)—

- (a) definition of *chemical*;
- (b) definition of *employer*;
- (c) definition of *IMDG Code*—

Repeal the definitions.

(2) Section 2(1)—

Add in alphabetical order

“*passenger-carrying ship* (載客船舶) means a ship authorized to carry passengers within river trade limits in reliance on a passenger certificate and a general safety certificate issued under Part II of the Merchant Shipping (Safety) Ordinance (Cap. 369);

Quantification Addendum (《指南補充本》) means the Quantification Addendum: International Medical Guide for Ships published by the World Health Organization, as amended from time to time;

Recommended List (《建議清單》) means the list of recommended medicines and equipment set out in Chapter 33 of the International Medical Guide for Ships published by the World Health Organization, as amended from time to time;”.

(3) Section 2—

Repeal subsections (2), (3) and (4).

4. Section 4 amended (medicines and medical stores)

(1) Section 4—

Repeal subsections (1) and (2)

Substitute

“(1) A seagoing ship must not proceed on a voyage unless there are kept on board the ship medicines and medical stores in compliance with Schedule 1.

(2) A passenger-carrying ship that only trades within river trade limits must not proceed on a voyage unless there are kept on board the ship medicines and medical stores in compliance with Schedule 2.”.

(2) Section 4—

Repeal everything after subsection (3).

5. Section 5 repealed (standards of medicines and medical stores)

Section 5—

Repeal the section.

6. Section 6 amended (packaging and labelling of containers)

(1) Section 6(1)—

Repeal

“other medical”

Substitute

“medical”.

(2) Section 6(1)(c)—

Repeal the semicolon

Substitute

“; and”.

(3) Section 6(1)—

Repeal paragraph (d).

(4) Section 6(1)(e)—

Repeal

“or disinfectant”.

(5) Section 6(3), English text—

Repeal

“shown on labels”

Substitute

“shown on a label”.

(6) Section 6(3)—

Repeal paragraphs (a) and (b)

Substitute

“(a) the generic name of the medicines or medical stores in the container, as set out in the Recommended List;

- (b) any storage requirements for the medicines or medical stores, as specified by the supplier of the medicines or medical stores;
 - (ba) the dosage of the medicines recommended by the supplier of the medicines, if applicable;”.
- (7) Section 6(3)(d)—
Repeal
“medicines and”
Substitute
“medicines or”.
- (8) Section 6(3)(e)—
Repeal
“or of an antiseptic prescribed in any of the scales set out in Schedule 1”.
- (9) Section 6(3)(e)—
Repeal
“for any purposes stated thereon;”
Substitute
“by the supplier of the disinfectant for using the disinfectant; and”.
- (10) Section 6(3)—
Repeal paragraph (f).
- (11) Section 6(3)(g)—
Repeal
“place; and”
Substitute
“place.”.

(12) Section 6(3)—
Repeal paragraph (h).

(13) After section 6(3)—
Add

“(4) If any of the particulars on the label of a container is illegible, all the medicines or medical stores in the container must be destroyed.

(5) If any medicine or medical store in a container cannot be identified, the medicine or medical store must be destroyed.”.

7. Section 7 amended (storage of medicines)

(1) Section 7, heading, after “**medicines**”—
Add

“**and medical stores**”.

(2) Section 7—

Repeal subsections (1) and (2)

Substitute

“(1) Any medicine or medical store kept on board a ship must—

(a) be stored in accordance with the instructions on its container;

(b) be kept in a good condition; and

(c) be protected against humidity and temperature extremes.

(2) Subject to subsections (2A), (2B) and (2C), the medicines and medical stores kept on board a ship must be stored in a medical cabinet that is large enough for them—

- (a) to be arranged in an orderly manner;
 - (b) to be easily identified; and
 - (c) to be available for immediate use.
- (2A) The medicines and medical stores kept on board a ship that are to be used in emergencies must—
- (a) be stored in an accessible place; and
 - (b) be stored separately from other medicines and medical stores.
- (2B) If a medicine is required to be refrigerated, it must be stored in a refrigerator that—
- (a) is located near a medical cabinet referred to in subsection (2);
 - (b) is equipped with a lock; and
 - (c) is not used for other purposes.
- (2C) Any medicine or medical store that is a drug or substance specified in Part I of the First Schedule to the Dangerous Drugs Ordinance (Cap. 134) must—
- (a) be stored separately from other medicines and medical stores; and
 - (b) be stored in a locked compartment in a room that is locked when unoccupied.”.

8. Section 8 amended (replenishment of dated medicines)

- (1) Section 8, heading—

Repeal

“Replenishment of dated medicines”

Substitute

“Replacement of expired medicines and medical stores”.

- (2) Section 8(1)(a)—

Repeal

“other medical stores in accordance with any of the scales set out in”

Substitute

“medical store in compliance with”.

(3) Section 8(1)(b)—

Repeal

“other medical stores, indicates a date after which the medicine or other”

Substitute

“medical store indicates a date after which the medicine or”.

(4) Section 8—

Repeal subsection (2)

Substitute

“(2) Expired medicines and medical stores must be taken to a pharmacy to be destroyed.”.

9. Section 9 amended (offences)

Section 9(1)—

Repeal

“5,”.

10. Section 10 amended (inspection and detention)

Section 10(1)—

Repeal

“, 5”.

11. Section 11 amended (amendment of Schedules)

Section 11—

Repeal

“Schedule 1, 2, 3 or 4”

Substitute

“Schedule 1 or 2”.

12. Schedules 1 and 2 substituted

Schedules 1 and 2—

Repeal the Schedules

Substitute

“Schedule 1

[ss. 4, 8 & 11]

**Medicines and Medical Stores to be Kept on
Board Seagoing Ships**

1. There must be kept on board a seagoing ship every medicine listed in the Recommended List, in the quantity set out in Annex 3 to the Quantification Addendum.
 2. There must be kept on board a seagoing ship every equipment, material and instrument listed in the Recommended List, in the quantity set out in the Recommended List.
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Schedule 2

[ss. 4, 8 & 11]

Medicines and Medical Stores to be Kept on Board Passenger-carrying Ships Trading within River Trade Limits

1. There must be kept on board a passenger-carrying ship that only trades within river trade limits—
 - (a) if the ship's passenger capacity is not more than 100, 1 first aid kit;
 - (b) if the ship's passenger capacity is more than 100, 2 first aid kits.
2. A first aid kit must contain every item listed and, if applicable, described in the table, in the quantity set out in the table.

Table

Column 1	Column 2	Column 3	Column 4
Item	Name	Description	Quantity required
1.	Triangular of calico	90 cm × 90 cm × 128 cm	8 pieces
2.	Conforming bandage	5 cm × 195 cm	2 rolls
3.	Bandage	5 cm × 540 cm	2 rolls

Column 1	Column 2	Column 3	Column 4
Item	Name	Description	Quantity required
4.	Bandage	7.5 cm × 540 cm	2 rolls
5.	Tape	Assorted, sterile, adhesive	20 pieces
6.	Dressings	Sterile paraffin gauze	10 pieces
7.	Dressing strip	2.5 cm × 495 cm	2 rolls
8.	Absorbent cotton wool	35 g	2 packs
9.	Safety pins	Rustless, 5 cm	12 pieces
10.	Disinfectant	—	0.2 L
11.	Scissors	Stainless steel throughout	1 pair”.

13. Schedules 3 and 4 repealed

Schedules 3 and 4—

Repeal the Schedules.

Anthony B. L. CHEUNG
Secretary for Transport and
Housing

16 May 2016

Explanatory Note

The Maritime Labour Convention, 2006 (*Convention*) was adopted by the International Labour Conference of the International Labour Organization in 2006. It sets out a comprehensive set of global standards for the working and living conditions of seafarers on seagoing ships and seeks to protect the right of seafarers to decent employment. The Convention will apply to Hong Kong after China has ratified the Convention and extended it to Hong Kong.

2. Under the Convention, seagoing ships are required to keep medical cabinets and medical equipment. The Merchant Shipping (Seafarers) (Medical Stores) Regulation (Cap. 478 sub. leg. X) (*principal Regulation*) provides for the medicines and medical stores to be kept on ships registered in Hong Kong. This Regulation amends the principal Regulation to update, in compliance with the latest international standards, the requirements relating to the medicines and medical stores.
3. Section 4 of the principal Regulation is amended to provide that seagoing ships, and passenger-carrying ships that only trade within river trade limits, must keep on board medicines and medical stores in compliance with the new Schedules 1 and 2 respectively.
4. Sections 6 and 7 of the principal Regulation are amended to update the technical requirements regarding the packaging and labelling of containers, and storage, of medicines and medical stores.

Merchant Shipping (Seafarers) (Medical Stores) (Amendment) Regulation 2016

Explanatory Note
Paragraph 5

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5. Section 8 of the principal Regulation is amended to provide that expired medicines and medical stores must be taken to a pharmacy to be destroyed.
6. This Regulation also repeals redundant provisions of the principal Regulation.