

REGULATIONS OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION 2016

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《2016 年聯合國制裁 (中非共和國) 規例》	27. 5.2016	90	B1992
United Nations Sanctions (Democratic Republic of the Congo) Regulation 2016	14.10.2016	157	B3035
《2016 年聯合國制裁 (剛果民主共和國) 規例》	14.10.2016	157	B3034
United Nations Sanctions (Iran) (Amendment) Regulation 2016	15. 1.2016	8	B113
《2016 年聯合國制裁 (伊朗) (修訂) 規例》	15. 1.2016	8	B112
United Nations Sanctions (Iran) Regulation (Repeal) Regulation	25.11.2016	177	B3325
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United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation	25.11.2016	178	B3329
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United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2016	30. 6.2016	111	B2359
《2016 年〈2011 年聯合國制裁 (利比亞) 規例〉(修訂) 規例》	30. 6.2016	111	B2358
United Nations Sanctions (Somalia) (Amendment) Regulation 2016	29. 1.2016	24	B449

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《2016 年聯合國制裁 (索馬里) (修訂) 規例》	29. 1.2016	24	B448
United Nations Sanctions (South Sudan) Regulation 2016	14.10.2016	158	B3117
《2016 年聯合國制裁 (南蘇丹) 規例》	14.10.2016	158	B3116
United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2016	27. 5.2016	91	B2087
《2016 年〈2015 年聯合國制裁 (也門) 規 例〉 (修訂) 規例》	27. 5.2016	91	B2086

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**Volunteer and Naval Volunteer Pensions
Ordinance (Cap. 202)—**

《陸軍義勇軍及海軍義勇軍恩恤金條例》
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Waste Disposal (Designated Waste Disposal Facility) Regulation (Amendment of Schedule 1) Notice 2016	29. 4.2016	49	B1017
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(Cap. 436)—**

《西區海底隧道條例》(第 436 章)——

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《孤寡撫恤金(增加)條例》(第205章)——

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operation on 1 April 2016 22. 1.2016 13 B243

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Amendments) Ordinance 2014 (16 of 2014)
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《2015年區域法院訴訟人儲存金(修訂)規則》 (2015年第149號法律公告)在2016年4 月1日實施	22. 1.2016	16	B248
Dutiable Commodities (Amendment) Regulation 2014 (L.N. 31 of 2014) in operation on 27 January 2017	25.11.2016	175	B3321
《2014年應課稅品(修訂)規例》(2014年第 31號法律公告)在2017年1月27日實施	25.11.2016	175	B3320
High Court Suitors' Funds (Amendment) Rules 2015 (L.N. 148 of 2015) in operation on 1 April 2016	22. 1.2016	15	B247
《2015年高等法院訴訟人儲存金(修訂)規則》 (2015年第148號法律公告)在2016年4 月1日實施	22. 1.2016	15	B246
Hong Kong Court of Final Appeal Suitors' Funds Rules (L.N. 147 of 2015) in operation on 1 April 2016	22. 1.2016	14	B245
《香港終審法院訴訟人儲存金規則》(2015年 第147號法律公告)在2016年4月1日實 施	22. 1.2016	14	B244
Human Reproductive Technology (Amendment) Ordinance 2016 (20 of 2016) in operation on 3 January 2017	14.10.2016	155	B3031
《2016年人類生殖科技(修訂)條例》(2016年 第20號)在2017年1月3日實施	14.10.2016	155	B3030
Inland Revenue (Amendment) (No. 3) Ordinance 2015 (17 of 2015) in operation on 1 April 2016	15. 1.2016	6	B103
《2015年稅務(修訂)(第3號)條例》(2015 年第17號)在2016年4月1日實施	15. 1.2016	6	B102
Judiciary (Five-day Week) (Miscellaneous Amendments) Ordinance 2016 (18 of 2016) in operation on 3 January 2017	21.10.2016	162	B3193
《2016年司法機構(五天工作周)(雜項修訂) 條例》(2016年第18號)在2017年1月3日 實施	21.10.2016	162	B3192

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《2015年勞資審裁處(訴訟人儲存金)(修訂) 規則》(2015年第151號法律公告)在2016 年4月1日實施	22. 1.2016	18	B252
Lands Tribunal (Suitors' Funds) Rules (L.N. 150 of 2015) in operation on 1 April 2016...	22. 1.2016	17	B251
《土地審裁處(訴訟人儲存金)規則》(2015年 第150號法律公告)在2016年4月1日實 施	22. 1.2016	17	B250
Legal Aid in Criminal Cases (Amendment) Rules 2016 (L.N. 109 of 2016) in operation on 14 November 2016.....	30. 6.2016	110	B2357
《2016年刑事案件法律援助(修訂)規則》(2016 年第109號法律公告)在2016年11月14 日實施	30. 6.2016	110	B2356
Legislation Publication Ordinance (Cap. 614)— The following provisions— (a) Parts 2, 3 and 4; (b) sections 22 and 29, in operation on 24 February 2017	18.11.2016	170	B3261
《法例發布條例》(第614章)—— 以下條文—— (a) 第2、3及4部； (b) 第22及29條， 在2017年2月24日實施	18.11.2016	170	B3260
Mandatory Provident Fund Schemes (Amendment) Ordinance 2016 (9 of 2016) in operation on 1 April 2017	14.10.2016	156	B3033
《2016年強制性公積金計劃(修訂)條例》(2016 年第9號)在2017年4月1日實施	14.10.2016	156	B3032

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Merchant Shipping (Control of Harmful Anti-Fouling Systems on Ships) Regulation (L.N. 54 of 2015) in operation on 1 January 2017	4.11.2016	167	B3243
《商船(控制船舶有害防污底系統)規例》(2015年第54號法律公告)在2017年1月1日實施	4.11.2016	167	B3242
Merchant Shipping (Prevention and Control of Pollution) (Fees) (Amendment) Regulation 2015 (L.N. 53 of 2015) in operation on 1 January 2017	4.11.2016	168	B3245
《2015年商船(防止及控制污染)(費用)(修訂)規例》(2015年第53號法律公告)在2017年1月1日實施	4.11.2016	168	B3244
Merchant Shipping (Seafarers) (Amendment) Ordinance 2013 (16 of 2013)— The following provisions— (a) section 1; (b) section 2(1); (c) section 3(11)(c); (d) section 4; (e) section 7(11); (f) section 10; (g) section 66; (h) Division 12 of Part 2; (i) Subdivision 7 of Division 1 of Part 3, in operation on 1 December 2016	7.10.2016	152	B3021

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(a) 第1條；			
(b) 第2(1)條；			
(c) 第3(11)(c)條；			
(d) 第4條；			
(e) 第7(11)條；			
(f) 第10條；			
(g) 第66條；			
(h) 第2部第12分部；			
(i) 第3部第1分部第7次分部， 在2016年12月1日實施	7.10.2016	152	B3020
Merchant Shipping (Seafarers) (Health and Safety: General Duties) (Amendment) Regulation 2016 (L.N. 71 of 2016)— The Regulation (except section 4) in operation on 1 December 2016	7.10.2016	153	B3023
《2016年商船(海員)(健康及安全：一般責任)(修訂)規例》(2016年第71號法律公告)—— 該規例(第4條除外)在2016年12月1 日實施	7.10.2016	153	B3022
Merchant Shipping (Seafarers) (Medical Examination) (Amendment) Regulation 2016 (L.N. 74 of 2016) in operation on 1 December 2016	7.10.2016	154	B3025
《2016年商船(海員)(體格檢驗)(修訂)規例》 (2016年第74號法律公告)在2016年12 月1日實施	7.10.2016	154	B3024

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Property Management Services Ordinance (10 of 2016)—			
The following provisions—			
(a) sections 1 and 2;			
(b) Part 7;			
(c) sections 66(2) and 68;			
(d) Schedules 3 and 5,			
in operation on 24 October 2016	10. 6.2016	98	B2159
《物業管理服務條例》(2016 年第 10 號)——			
以下條文——			
(a) 第 1 及 2 條；			
(b) 第 7 部；			
(c) 第 66(2) 及 68 條；			
(d) 附表 3 及 5，			
在 2016 年 10 月 24 日實施	10. 6.2016	98	B2158
Public Health (Animals and Birds) (Animal Traders) (Amendment) Regulation 2016 (L.N. 64 of 2016) in operation on 20 March 2017	25.11.2016	176	B3323
《2016 年公眾衛生(動物及禽鳥)(動物售賣商)(修訂)規例》(2016 年第 64 號法律公告) 在 2017 年 3 月 20 日實施	25.11.2016	176	B3322

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Securities and Futures (Amendment)
Ordinance 2014 (6 of 2014)—

The following provisions—

- (a) section 9 in so far as it relates to the following provisions—
 - (i) the new section 101A in so far as it relates to—
 - (A) the new definitions of ***clearing obligation***, ***clearing rules***, ***designated CCP*** and ***designation rules***;
 - (B) paragraph (a) of the new definition of ***prescribed manner***;
 - (C) paragraph (b) of the new definition of ***prescribed person***; and
 - (D) paragraph (b) of the new definition of ***specified OTC derivative transaction***;
 - (ii) the new section 101C;
 - (iii) the new section 101F in so far as it relates to the contravention of the clearing obligation;
 - (iv) the new section 101G in so far as it relates to the contravention of the clearing obligation;
 - (v) the new section 101H in so far as it relates to the exemption from the clearing obligation;

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(vi) the new section 101I in so far as it relates to the guidelines on exemption from the clearing obligation;			
(vii) the new sections 101J and 101N;			
(viii) the new section 101Q, except—			
(A) paragraph (a)(ii);			
(B) paragraph (e) in so far as it relates to the new section 101K; and			
(C) paragraph (f) in so far as it relates to the new section 101K;			
(b) section 18(5) in so far as it relates to the new section 182(1)(da) (in so far as it relates to the contravention of the clearing obligation);			
(c) section 20 in so far as it relates to the new section 184A (in so far as it relates to the contravention of the clearing obligation);			
(d) section 37 in so far as it relates to the new Division 4 of Part IX (in so far as it relates to the contravention of the clearing obligation);			
(e) section 52(3) in so far as it relates to the new definition of <i>clearing obligation</i> ;			
(f) section 53(1);			

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(g) section 53(2) in so far as it relates to the new entry relating to Type 12 (in so far as it relates to paragraph (c) of the new definition of <i>excluded services</i> in Part 2 of Schedule 5);			
(h) section 53(9) in so far as it relates to the new paragraph (d) of the definition of <i>automated trading services</i> in Part 2 of Schedule 5;			
(i) section 53(10);			
(j) section 53(11) in so far as it relates to the new paragraph (d) of the definition of <i>automated trading services</i> in Part 2 of Schedule 5;			
(k) section 53(12);			
(l) section 53(13) (except in so far as it relates to Type 7 regulated activity under the Securities and Futures Ordinance (Cap. 571));			
(m) section 53(14);			
(n) section 53(22) in so far as it relates to—			
(i) paragraph (c) of the new definition of <i>excluded services</i> ; and			
(ii) the new definition of <i>providing client clearing services for OTC derivative transactions</i> (in so far as it relates to paragraph (c) of the new definition of <i>excluded services</i>);			

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(o) section 53(23) in so far as it relates to section 4(b) of the new Part 2A of Schedule 5 (in so far as it relates to the new definition of providing client clearing services for OTC derivative transactions in Part 2 of Schedule 5);			
(p) section 54(1) in so far as it relates to the new items 4C, 4D, 4E and 4F;			
(q) section 54(5) in so far as it relates to the new items 2A and 2B,			
in operation on 1 September 2016	5. 2.2016	27	B515
《2014年證券及期貨(修訂)條例》 (2014年第6號)——			
以下條文——			
(a) 第9條，但限於在該條關乎以下條文的範圍內——			
(i) 新的第101A條，但限於在該條關乎以下條文的範圍內——			
(A) 新的 指定中央對手方 、《 指定規則 》、《 結算規則 》及 結算責任 的定義；			
(B) 新的 訂明方式 的定義的(a)段；			
(C) 新的 訂明人士 的定義的(b)段；及			
(D) 新的 指明場外衍生工具交易 的定義的(b)段；			
(ii) 新的第101C條；			

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(iii) 新的第 101F 條，但限於在該條關乎違反結算責任的範圍內；			
(iv) 新的第 101G 條，但限於在該條關乎違反結算責任的範圍內；			
(v) 新的第 101H 條，但限於在該條關乎豁免履行結算責任的範圍內；			
(vi) 新的第 101I 條，但限於在該條關乎豁免履行結算責任的指引的範圍內；			
(vii) 新的第 101J 及 101N 條；			
(viii) 新的第 101Q 條，但以下條文除外——			
(A) (a)(ii) 段；			
(B) (e) 段，但限於在該段關乎新的第 101K 條的範圍內；及			
(C) (f) 段，但限於在該段關乎新的第 101K 條的範圍內；			
(b) 第 18(5) 條，但限於在該條關乎新的第 182(1)(da) 條 (在該第 182(1)(da) 條關乎違反結算責任的範圍內) 的範圍內；			
(c) 第 20 條，但限於在該條關乎新的第 184A 條 (在該第 184A 條關乎違反結算責任的範圍內) 的範圍內；			
(d) 第 37 條，但限於在該條關乎新的第 IX 部第 4 分部 (在該分部關乎違反結算責任的範圍內) 的範圍內；			
(e) 第 52(3) 條，但限於在該條關乎新的 結算責任 的定義的範圍內；			

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(f)			第 53(1) 條；
(g)			第 53(2) 條，但限於在該條關乎新的與第 12 類有關的記項 (在該記項關乎附表 5 第 2 部的新的 豁除服務 的定義的 (c) 段的範圍內) 的範圍內；
(h)			第 53(9) 條，但限於在該條關乎附表 5 第 2 部的 自動化交易服務 的定義的新的 (d) 段的範圍內；
(i)			第 53(10) 條；
(j)			第 53(11) 條，但限於在該條關乎附表 5 第 2 部的 自動化交易服務 的定義的新的 (d) 段的範圍內；
(k)			第 53(12) 條；
(l)			第 53(13) 條 (在該條關乎《證券及期貨條例》(第 571 章) 所指的第 7 類受規管活動的範圍內除外)；
(m)			第 53(14) 條；
(n)			第 53(22) 條，但限於在該條關乎以下條文的範圍內——
			(i) 新的 豁除服務 的定義的 (c) 段；及
			(ii) 新的 為場外衍生工具交易提供客戶結算服務 的定義 (在該定義關乎新的 豁除服務 的定義的 (c) 段的範圍內)；
(o)			第 53(23) 條，但限於在該條關乎附表 5 新的第 2A 部第 4(b) 條 (在該第 4(b) 條關乎附表 5 第 2 部的新的 為場外衍生工具交易提供客戶結算服務 的定義的範圍內) 的範圍內；

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(p) 第 54(1) 條，但限於在該條關乎 新的第 4C、4D、4E 及 4F 項 的範圍內；			
(q) 第 54(5) 條，但限於在該條關乎 新的第 2A 及 2B 項的範圍內， 在 2016 年 9 月 1 日實施	5. 2.2016	27	B514
Securities and Futures (OTC Derivative Transactions—Reporting and Record Keeping Obligations) Rules (L.N. 96 of 2015)— Rule 15 in operation on 1 September 2016	5. 2.2016	29	B591
《證券及期貨(場外衍生工具交易——匯報及 備存紀錄責任)規則》(2015 年第 96 號法律 公告)—— 第 15 條在 2016 年 9 月 1 日實施	5. 2.2016	29	B590
Small Claims Tribunal (Suitors' Funds) (Amendment) Rules 2015 (L.N. 152 of 2015) in operation on 1 April 2016	22. 1.2016	19	B255
《2015 年小額錢債審裁處(訴訟人儲存金)(修 訂)規則》(2015 年第 152 號法律公告)在 2016 年 4 月 1 日實施	22. 1.2016	19	B254
Trainee Solicitors (Amendment) Rules 2015 (L.N. 174 of 2015) in operation on 3 May 2016	29. 1.2016	23	B447
《2015 年實習律師(修訂)規則》(2015 年第 174 號法律公告)在 2016 年 5 月 3 日實施	29. 1.2016	23	B446

**INDEX OF NEW SUBSIDIARY LEGISLATION AND AMENDMENTS
TO SUBSIDIARY LEGISLATION NOT YET PUBLISHED IN
THE LOOSE-LEAF EDITION OF THE LAWS OF
HONG KONG AS UPDATED BY ISSUE 53
(To 30.11.2016)**

This index lists new subsidiary legislation and amendments to subsidiary legislation which are not published in the Loose-leaf Edition as updated by the most recent issue (i.e. Issue 53). The index is published monthly, and for new subsidiary legislation or amendments to subsidiary legislation published later than the index, users should refer to the individual Legal Supplements to the Gazette.

2. Part 1 lists new subsidiary legislation. Part 2 lists subsidiary legislation that has been amended, repealed or otherwise affected; following each item is the Legal Notice or the Ordinance that effected the amendment or repeal, etc.

- N.B. (a) Items arising from legislation enacted in November 2016 are printed in bold type.
(b) Material is included whether or not it is in operation, but is not included when it is shown (as not yet in operation) in the pink Check Lists of the Loose-leaf Edition.
(c) Commencement notices are not included.

PART 1

NEW REGULATIONS, ETC.

(For amendments to these, see Part 2)

Declaration of Change of Titles (Communications and Technology Branch and Secretaries of Communications and Technology Branch) Notice 2015 (LN 230/2015)

Declaration of Increase in Pensions Notice 2016 (LN 99/2016)

Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Romania) Order (LN 61/2016)

Inland Revenue (Double Taxation Relief and Prevention of Fiscal Evasion with respect to Taxes on Income) (Russian Federation) Order (LN 62/2016)

International Organizations (Privileges and Immunities) (ASEAN+3 Macroeconomic Research Office) Order (LN 35/2016)

International Organizations (Privileges and Immunities) (Asia Pacific Regional Office of the Hague Conference on Private International Law) Order (LN 25/2016)

International Organizations (Privileges and Immunities) (Asian Infrastructure Investment Bank) Order (LN 52/2016)

International Organizations (Privileges and Immunities) (Permanent Court of Arbitration) Order (LN 26/2016)

Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China by the Standing Committee of the National People's Congress (LN 169/2016)

Merchant Shipping (Prevention of Air Pollution) Regulation (LN 22/2016)

Merchant Shipping (Safety) (IMSBC Code) Regulation (LN 55/2016)

Merchant Shipping (Safety) (Navigational Equipment and Safety of Navigation) Regulation (LN 122/2016)

Merchant Shipping (Seafarers) (Certificates of Proficiency for Able Seafarers) Regulation (LN 137/2016)

Merchant Shipping (Seafarers) (Navigational Watch) Regulation (LN 136/2016)

Merchant Shipping (Seafarers) (Safety, Security and Designated Duties Training) Regulation (LN 138/2016)

Merchant Shipping (Seafarers) (Tankers) Regulation (LN 134/2016)

Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (LN 69/2016)

Mutual Legal Assistance in Criminal Matters (Argentina) Order (LN 107/2016)

Mutual Legal Assistance in Criminal Matters (Sweden) Order (LN 105/2016)

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- Securities and Futures (OTC Derivative Transactions—Clearing and Record Keeping Obligations and Designation of Central Counterparties) Rules (LN 28/2016)
- Securities and Futures (OTC Derivative Transactions Reporting Obligation—Fees) Rules (LN 31/2016)
- Travel Agents (Fee Concessions) Regulation 2016 (LN 65/2016)
- United Nations Sanctions (Central African Republic) Regulation 2016 (LN 90/2016)
- United Nations Sanctions (Democratic Republic of the Congo) Regulation 2016 (LN 157/2016)
- United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation (LN 178/2016)**
- United Nations Sanctions (Liberia) (No. 2) Regulation 2015 (LN 239/2015)
- United Nations Sanctions (South Sudan) Regulation 2016 (LN 158/2016)
- West Kowloon Cultural District (Public Open Spaces) Bylaw (LN 113/2016)
- Widows and Orphans Pension (Increase) Notice 2016 (LN 100/2016)

PART 2

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- Banking (Capital) Rules (Cap. 155L)—23 of 2016 ss. 212 & 213
- Bankruptcy (Fees and Percentages) Order (Cap. 6C)—1 of 2016 s. 15
- Bankruptcy (Forms) Rules (Cap. 6B)—1 of 2016 s. 13
- Bankruptcy Rules (Cap. 6A)—1 of 2016 ss. 8 to 11
- Business Registration Regulations (Cap. 310A)—16 of 2016 s. 44

- Chinese Permanent Cemeteries Rules (Cap. 1112A)—11 of 2016 ss. 10 to 33 & Sch.
- Companies (Disqualification Orders) Regulation (Cap. 32I)—14 of 2016 s. 174, 16 of 2016 s. 24
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- Fugitive Offenders (Netherlands) Order (Cap. 503A)—LN 38/2016
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Merchant Shipping (Safety) (Automatic Pilot and Testing of Steering Gear) Regulations (Cap. 369L)—LN 124/2016

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- Merchant Shipping (Safety) (Minimum Safe Manning Certificate) Regulation (Cap. 369AS)—LN 123/2016 (Now Merchant Shipping (Safety) (Ship's Manning) Regulation)
- Merchant Shipping (Safety) (Navigational Equipment) Regulations (Cap. 369AJ)—LN 126/2016
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- Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N)—LN 53/2016, LN 94/2016
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- Merchant Shipping (Seafarers) (Certification and Watchkeeping) Regulation (Cap. 478T)—LN 140/2016
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- Merchant Shipping (Seafarers) (Engine Room Watch Ratings) Regulation (Cap. 478V)—LN 135/2016 (Now Merchant Shipping (Seafarers) (Engine Room Watch Ratings and Electro-technical Ratings) Regulation)
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- Merchant Shipping (Seafarers) (Ro-Ro Passenger Ships—Training) Regulation (Cap. 478AD)—LN 139/2016 (Now Merchant Shipping (Seafarers) (Passenger Ships—Training) Regulation)
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- Merchant Shipping (Seafarers) (Safety Training) Regulation (Cap. 478AC)—LN 147/2016

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