

L.N. 48 of 2018

**Merchant Shipping (Safety) (Load Lines) (Deck Cargo)
(Amendment) Regulation 2018**

(Made by the Secretary for Transport and Housing under sections 105,
107 and 112B of the Merchant Shipping (Safety) Ordinance (Cap.
369))

1. Commencement

This Regulation comes into operation on the day on which the Merchant Shipping (Safety) (Load Line) (Amendment) Regulation 2018 comes into operation.

2. Merchant Shipping (Safety) (Load Lines) (Deck Cargo) Regulations amended

The Merchant Shipping (Safety) (Load Lines) (Deck Cargo) Regulations (Cap. 369 sub. leg. AE) are amended as set out in sections 3 to 6.

3. Regulation 3 substituted

Regulation 3—

Repeal the regulation

Substitute

“3. Application to ships

(1) These regulations apply to all ships except—

- (a) a ship of war;
- (b) a local vessel;
- (c) a pleasure vessel not engaged in trade; and
- (d) a fishing vessel.

(2) In this regulation—

fishing vessel (漁船) means a ship that is used for catching fish, whales, seals, walrus or other living resources of the sea;

local vessel (本地船隻) means a local vessel as defined by section 2 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548);

pleasure vessel (遊樂船隻) means a vessel primarily used for sport or recreation.”.

4. Regulation 10 substituted

Regulation 10—

Repeal the regulation

Substitute

“10. Maximum height of timber deck cargo

- (1) This regulation applies if a ship is in a special area.
- (2) If a ship is in a special area during the Winter Period specified in Regulations 46, 47, 50 and 51 of Annex II for the winter seasonal zone or area concerned, all timber deck cargo carried by the ship must be stowed so as to ensure that at no point throughout its length does the height of the timber deck cargo above the level of the weather deck at side exceed one-third of the extreme breadth of the ship.
- (3) For the purposes of subregulation (1), if a ship is at a port which stands on the boundary line between 2 zones or areas or between a zone and an area, or is required under Annex II to be considered as being on such a boundary line, the port is regarded as within the zone or area as determined in accordance

Section 5

with Article 11 of the Convention of 1966 and Annex II.

(4) In this regulation—

Annex II (《附則II》) means Annex II to the Convention of 1966;

special area (特別區域) means an area specified in Regulations 46, 47, 50 and 51 of Annex II as a winter seasonal zone or area.”.

5. Regulation 16 substituted

Regulation 16—

Repeal the regulation

Substitute

“16. Securing of timber deck cargo

(1) Timber deck cargo must be effectively secured throughout its length by a lashing system—

- (a) that complies with the 2011 TDC Code; or
- (b) that is acceptable to the Director.

(2) In this regulation—

2011 TDC Code (《2011年TDC規則》) means the Code of Safe Practice for Ships Carrying Timber Deck Cargoes, 2011 adopted by the International Maritime Organization on 30 November 2011 by Resolution A.1048(27).”.

6. Schedule repealed

The Schedule—

Repeal the Schedule.

Merchant Shipping (Safety) (Load Lines) (Deck Cargo) (Amendment) Regulation
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Frank CHAN Fan
Secretary for Transport and
Housing

20 March 2018

Explanatory Note

This Regulation amends the Merchant Shipping (Safety) (Load Lines) (Deck Cargo) Regulations (Cap. 369 sub. leg. AE) to reflect the updated requirements in the International Convention on Load Lines signed on 5 April 1966, as amended from time to time and as applicable to Hong Kong.