

第 3/2021 號行政長官公告**Aviso do Chefe do Executivo n.º 3/2021**

國際海事組織海上安全委員會分別於二零一七年六月十五日 and 二零一八年五月二十四日，透過第 MSC.423 (98) 號和第 MSC.438 (99) 號決議，通過了《1994年國際高速船安全規則》（《1994年高速船規則》）修正案，該等修正案於二零二零年一月一日在國際法律秩序上生效，包括對澳門特別行政區生效；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈：

——包含上指修正案的國際海事組織海上安全委員會第 MSC.423 (98) 號決議的中文和英文正式文本；

——包含上指修正案的國際海事組織海上安全委員會第 MSC.438 (99) 號決議的中文和英文正式文本。

二零二一年一月十八日發佈。

行政長官 賀一誠

Considerando que, em 15 de Junho de 2017 e em 24 de Maio de 2018, o Comité de Segurança Marítima da Organização Marítima Internacional (OMI), respectivamente, através das resoluções MSC.423(98) e MSC.438(99), adoptou as emendas ao Código Internacional de Segurança para as Embarcações de Alta Velocidade, 1994 (Código HSC 1994), e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a Região Administrativa Especial de Macau, em 1 de Janeiro de 2020;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas):

— a resolução MSC.423(98) do Comité de Segurança Marítima da OMI, que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa;

— a resolução MSC.438(99) do Comité de Segurança Marítima da OMI, que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 18 de Janeiro de 2021.

O Chefe do Executivo, *Ho Iat Seng*.

第 MSC.423 (98) 號決議

(2017 年 6 月 15 日通過)

1994 年國際高速船安全規則 (1994 年高速船規則) 修正案

海上安全委員會，

憶及《國際海事組織公約》第 28 (b) 條關於本委員會職能的規定，

注意到本委員會以第 MSC.36 (63) 號決議通過了《國際高速船安全規則》(《1994 年高速船規則》)，該修正案已成為《1974 年國際海上人命安全公約》(“本公約”)第 X 章下的強制性規則，

還注意到本公約第 VIII (b) 條和第 X/1.1 條關於《1994 年高速船規則》修正程序的規定，

在其第 98 屆會議上，審議了按本公約第 VIII (b) (i) 條建議並散發的《1994 年高速船規則》修正案，

1 按本公約第 VIII (b) (iv) 條，通過了《1994 年高速船規則》修正案，其文本載於本決議附件；

2 按本公約第 VIII (b) (vi) (2) (bb) 條，決定上述修正案須視為於 2019 年 7 月 1 日已被接受，除非在此日期之前，超過三分之一的本公約締約國政府或其商船隊合計總噸位佔世界商船隊總噸位不少於 50% 的締約國政府已通報其反對該修正案；

- 3 **提請**本公約各締約國政府注意，按本公約第 VIII (b) (vii) (2) 條，該修正案須在按上述第 2 款被接受後，於 2020 年 1 月 1 日生效；
- 4 **要求**秘書長，按本公約第 VIII (b) (v) 條，將本決議及其附件中修正案文本的核正無誤副本分發給所有本公約締約國政府；
- 5 **還要求**秘書長將本決議及其附件的副本分發給非本公約締約國政府
的本組織成員。

附件

1994 年國際高速船安全規則 (1994 年高速船規則) 修正案

第 8 章 救生設備和裝置

8.10 救生艇筏和救助艇

1 第 8.10.1.5 和 8.10.1.6 段由以下替代：

- “.5 儘管上述第.4 款的規定，船舶應配備足夠的救助艇以確保在棄船時能容納船舶核定承載總人數。
- .5.1 每艘救助艇按第 8.10.1.1 款規定配備的救生筏不得超過 9 隻；或
- .5.2 如主管機關對救生艇能同時拖曳一對救生筏感到滿意，則每艘救生艇按第 8.10.1.1 款規定配備的救生筏不得超過 12 隻；及
- .5.3 船舶能在第 4.8 條規定的時間內撇離。
- .6 如船長小於 20m 的船舶滿足下列要求，則可免除配備救生艇：
 - .6.1 船舶的布置能從水中救起處於水平或接近水平體位的無助人員；
 - .6.2 從駕駛室能觀察到對無助人員的救助工作；和
 - .6.3 船舶具備足夠的可操縱性，以便在最惡劣的環境下能靠近並救起落水人員。”

RESOLUTION MSC.423(98)
(adopted on 15 June 2017)

**AMENDMENTS TO THE INTERNATIONAL CODE OF SAFETY
FOR HIGH-SPEED CRAFT, 1994 (1994 HSC CODE)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

NOTING resolution MSC.36(63), by which it adopted the International Code of Safety for High-Speed Craft ("1994 HSC Code"), which has become mandatory under chapter X of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"),

NOTING ALSO article VIII(b) and regulation X/1.1 of the Convention concerning the procedure for amending the 1994 HSC Code,

HAVING CONSIDERED, at its ninety-eighth session, amendments to the 1994 HSC Code proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the 1994 HSC Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that said amendments shall be deemed to have been accepted on 1 July 2019 unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3 INVITES Contracting Governments to the Convention to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2020 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, for the purposes of Article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CODE OF SAFETY
FOR HIGH-SPEED CRAFT, 1994 (1994 HSC CODE)****Chapter 8
Life-saving appliances and arrangements****8.10 Survival craft and rescue boats**

1 Paragraphs 8.10.1.5 and 8.10.1.6 are replaced with the following:

- "5 notwithstanding the provision of .4 above, craft should carry sufficient rescue boats to ensure that, in providing for abandonment by the total number of persons the craft is certified to carry:
 - .5.1 not more than nine of the liferafts provided in accordance with 8.10.1.1 are marshalled by each rescue boat; or
 - .5.2 if the Administration is satisfied that the rescue boats are capable of towing a pair of such liferafts simultaneously, not more than 12 of the liferafts provided in accordance with 8.10.1.1 are marshalled by each rescue boat; and
 - .5.3 the craft can be evacuated within the time specified in 4.8.
- .6 craft of less than 20 m in length may be exempted from carrying a rescue boat, provided the craft meets all of the following requirements:
 - .6.1 the craft is arranged to allow a helpless person to be recovered from the water in a horizontal or near-horizontal body position;
 - .6.2 recovery of the helpless person can be observed from the navigating bridge; and
 - .6.3 the craft is sufficiently manoeuvrable to close in and recover persons in the worst intended conditions."

第 MSC.438 (99) 號決議

(2018 年 5 月 24 日通過)

1994 年國際高速船安全規則

(1994 年高速船規則) 修正案

海上安全委員會，

憶及《國際海事組織公約》第 28 (b) 條關於本委員會的職能，

還憶及第 MSC.36 (63) 號決議通過的《1994 國際高速船安全規則》(“1994 年高速船規則”)，根據《1974 年國際海上人命安全公約》(“本公約”) 第 X 章規定，已成為強制性文件，

進一步憶及本公約第 VIII (b)) 條和第 X/1.1 章關於《1994 年高速船規則》的修正程序，

在其第九十九屆會議上審議了按本公約第 VIII (b) (i) 條提出和分發的《1994 年高速船規則》修正案，

1 按本公約第 VIII (b) (iv) 條規定，通過本公約的修正案，其文本載於本決議附件；

2 按本公約第 VIII (b) (vi) (2) (bb) 條規定，決定該修正案將於 2019 年 7 月 1 日被視為已被接受，除非在此日期之前，有三分之一以上的本公約締約國政府或擁有商船合計噸位數不少於世界商船總噸數 50% 的締約國政府向秘書長通報其反對該修正案；

- 3 **提請**本公約各締約國政府注意，按本公約第 VIII (b) (vii) (2) 條規定，該修正案將在按上述 2 被接受後，於 2020 年 1 月 1 日生效；
- 4 **要求**秘書長按本公約第 VIII (b) (v) 條規定，將本決議及其附件中的修正案文本的核正無誤副本分發給本公約所有締約國政府；
- 5 **還要求**秘書長將本決議及其附件的副本分發給非本公約締約國的本組織成員。

附 件

**1994 年國際高速船安全規則
(1994 年高速船規則) 修正案****第 14 章****無線電通信****14.2 術語和定義**

1 在第 14.2.1 段中，在現有第.15 分段後新增第.16 分段如下：

“.16 經認可的移動衛星服務係指經國際移動衛星組織認可，可用於全球海上遇險和安全系統的各類衛星服務。”

14.6 無線電設備：總則

2 在第 14.6.1 段中，將現有第.5 分段修訂如下：

“.5 如果船舶航行在 A1、A2 或 A3 海區，而該區域又未能提供國際 NAVTEX 業務，一台接收來自經認可的移動衛星服務增強群呼系統的海上安全信息的無線電設備，但是，如果船舶僅航行在使用 HF 直接印字電報提供海上安全信息業務的區域，而該船已配備了能接收這種業務的設備，則可免除本款要求。”

3 在第 14.6.1 段中，將現有第.6.1 分段修訂如下：

“.6.1 能通過在 406MHz 頻帶上工作的極軌道衛星服務發送

遇險警報。”

14.7 無線電設備：A1 海區

4 在第 14.7.1 段中，現有的第.5 分段修訂如下：

“.5 通過經認可的移動衛星服務；該要求可由如下設備滿足：

.5.1 一台船舶地面站；或

.5.2 14.7.1.6 要求的衛星 EPIRB。該衛星 EPIRB 應位於靠近船舶通常駕駛的位置，或能從該位置遙控啟動。”

14.8 無線電設備：A1 和 A2 海區

5 在第 14.8.1 段中，將現有的第.3.3 分段修訂如下：

“.3.3 通過提供經認可的移動衛星服務的船舶地面站。”

6 在第 14.8.3 段中，將現有的第.2 分段修訂如下：

“.2 一台提供經認可的移動衛星服務的船舶地面站。”

14.9 無線電設備：A1、A2 和 A3 海區

7 在第 14.9.1 段中，將現有的第.1 分段的開頭概述，修訂如下：

“.1 一台提供經認可的移動衛星服務的船舶地面站，且能夠：”

8 在第 14.9.1 段中，將現有的第.4.3 分段修訂如下：

“.4.3 通過提供經認可的移動衛星服務的一台附加船舶地面

站；”

- 9 在第 14.9.2 段中，將現有的第 3.2 分段修訂如下：

“.3.2 通過提供經認可的移動衛星服務的一台船舶地面站；
和”

14.11 值班

- 10 在第 14.11.1 段中將現有的第.4 分段修訂如下：

“.4 如果船舶按照 14.9.1.1 的要求裝有提供經認可移動衛星服務的船舶地面站，應對岸對船的衛星遇險警報保持連續值班。”

14.12 電源

- 11 在第 14.12.2 段中，將 “Inmarsat” 一詞從第二句中刪除。

附 件

高速船安全證書格式

符合《國際高速船安全規則》的 高速船安全證書的設備記錄

- 12 在第 3 節中，現有的第 1.4 項描述修訂如下：

“經認可的移動衛星服務的船舶地面站”。

RESOLUTION MSC.438(99)
(adopted on 24 May 2018)

**AMENDMENTS TO THE INTERNATIONAL CODE OF
SAFETY FOR HIGH-SPEED CRAFT, 1994 (1994 HSC CODE)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO resolution MSC.36(63), by which it adopted the International Code of Safety for High-Speed Craft, 1994 ("the 1994 HSC Code"), which has become mandatory under chapter X of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"),

RECALLING FURTHER article VIII(b) and regulation X/1.1 of the Convention concerning the procedure for amending the 1994 HSC Code,

HAVING CONSIDERED, at its ninety-ninth session, amendments to the 1994 HSC Code, proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the 1994 HSC Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 July 2019, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3 INVITES Contracting Governments to the Convention to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2020 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, for the purposes of article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CODE OF SAFETY
FOR HIGH-SPEED CRAFT, 1994 (1994 HSC CODE)****CHAPTER 14
RADIOCOMMUNICATIONS****14.2 Terms and definitions**

1 In paragraph 14.2.1, the following new sub-paragraph .16 is added after the existing sub-paragraph .15:

".16 *Recognized mobile satellite service* means any service which operates through a satellite system and is recognized by the Organization, for use in the global maritime distress and safety system (GMDSS)."

14.6 Radio equipment: General

2 In paragraph 14.6.1, the existing sub-paragraph .5 is amended to read as follows:

".5 a radio facility for reception of maritime safety information by a recognized mobile satellite service enhanced group calling system if the craft is engaged in voyages in sea area A1, or A2 or A3 but in which an international NAVTEX service is not provided. However, craft engaged exclusively in voyages in areas where an HF direct-printing telegraphy maritime safety information service is provided and fitted with equipment capable of receiving such service, may be exempt from this requirement.

3 In paragraph 14.6.1, the existing sub-paragraph .6.1 is amended to read as follows:

".6.1 capable of transmitting a distress alert through the polar orbiting satellite service operating in the 406 MHz band;"

14.7 Radio equipment: Sea area A1

4 In paragraph 14.7.1, the existing sub-paragraph .5 is amended to read as follows:

".5 through a recognized mobile satellite service; this requirement may be fulfilled by:

.5.1 a ship earth station; or

.5.2 the satellite EPIRB, required by 14.6.1.6, either by installing the satellite EPIRB close to, or by remote activation from, the position from which the craft is normally navigated.

14.8 Radio equipment: Sea areas A1 and A2

5 In paragraph 14.8.1, the existing sub-paragraph .3.3 is amended to read as follows:

".3.3 through a recognized mobile satellite service by a ship earth station."

6 In paragraph 14.8.3, the existing sub-paragraph .2 is amended to read as follows:

".2 a recognized mobile satellite service ship earth station."

14.9 Radio equipment: Sea areas A1, A2 and A3

7 In paragraph 14.9.1, the chapeau of existing sub-paragraph .1 is amended to read as follows:

".1 a recognized mobile satellite service ship earth station capable of:"

8 In paragraph 14.9.1, the existing sub-paragraph .4.3 is amended to read as follows:

".4.3 through a recognized mobile satellite service by an additional ship earth station."

9 In paragraph 14.9.2, the existing sub-paragraph .3.2 is amended to read as follows:

".3.2 through a recognized mobile satellite service by a ship earth station; and"

14.11 Watches

10 In paragraph 14.11.1, the existing sub-paragraph .4 is amended to read as follows:

".4 for satellite shore-to-ship distress alerts, if the craft, in accordance with the requirements of 14.9.1.1, is fitted with a recognized mobile satellite service ship earth station."

14.12 Sources of energy

11 In paragraph 14.12.2, the word "Inmarsat" is deleted from the second sentence.

Annex

FORM OF SAFETY CERTIFICATE FOR HIGH-SPEED CRAFT

RECORD OF EQUIPMENT FOR COMPLIANCE WITH THE INTERNATIONAL CODE OF SAFETY FOR HIGH-SPEED CRAFT

12 In section 3, the existing description of item 1.4 is amended to read as follows:

"Recognized mobile satellite service ship earth station".