

**Guidelines on Licensing Requirements
for a Treatment Centre Operating on a Ship**
(This set of Guidelines is drawn up for treatment centre
operating on ship within Hong Kong waters.)

A. Introduction

1. Under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566),
“treatment centre” means any place used or intended to be used –
 - (a) for the treatment for drug dependence or for the rehabilitation of 4 or more drug dependent persons undergoing such treatment or rehabilitation on a voluntary basis; and
 - (b) for providing residential accommodation for such persons undergoing treatment for drug dependence, or undergoing rehabilitation, at that place.
2. The “place” is defined under the Ordinance, Cap. 566 as any area on land or water and includes any building, structure, enclosure, vehicle or ship.
3. You should note that these guidelines have been prepared to provide you with general guidance on the operation, management or other control of treatment centres operating on ship. Specific advice should be sought from your own advisers on any particular factual situation. Whilst the law outlined in these guidelines is current as at the date of these guidelines, operators should ensure that they obtain up-to-date advice on issues as they arise.

B. Legislation and Code of Practice

1. Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566) and
2. Chapters 1 to 4 and Chapters 7 to 12 of the Code of Practice for Drug Dependent Persons Treatment and Rehabilitation Centres.

C. Requirements for Ship Operating as a Treatment Centre

(applicable to both new and existing ships)

1. General

- 1.1 All treatment centres operated on water by means of any ship, which is a kind of vessel ^{Note}, shall comply with the relevant provisions of the Shipping and Port Control Ordinance (hereafter referred as ‘the Ordinance’), the Merchant Shipping (Launches and Ferry Vessels) Regulations (hereafter referred as ‘Launch Regulation’), the Merchant Shipping (Fees) Regulations, the Merchant Shipping (Registration) (Tonnage) Regulations, the International Regulations for Preventing Collisions at Sea 1972, as amended, the Regulations made under the Dangerous Goods Ordinance as appropriate to ships conveying dangerous goods, the Merchant Shipping (Prevention and Control of Pollution) Ordinance, Marine Department Notice and the relevant instructions (such as ‘Instructions for the Survey of Class I and Class II Launches and Ferry Vessels’) issued by the Director of Marine.
- 1.2 The construction of the ship shall be designed and built to the requirements of rules and regulations in full of one recognized classification society applicable to the size, construction material, and operational services of the ship.
- 1.3 Examples of the requirements are outlined in paragraphs 2 to 7 but the lists are not exhaustive.
- 1.4 The ship to be used or intended to be used as a treatment centre should be issued with a valid licence under the Ordinance. In order to be licensed for operation, the ship shall be built and surveyed in accordance with the Launch Regulation, Marine Department Notice and the relevant instructions for the issue of a Certificate of Survey. The number of persons eligible to be carried will be shown on both the Certificate of Survey and the licence.
- 1.5 The hull construction and machinery installation of the ship shall be examined by the Marine Department Surveyor to ensure that the ship is built in accordance with the approved plans.

Note: Pursuant to section 2, Shipping and Port Control Ordinance (Cap. 313), “vessel” (船隻) includes- (a) any ship, junk, boat, dynamically supported craft, seaplane, or any other description of vessel used in navigation; and (b) any other description of vessel in Hong Kong or in the waters of Hong Kong not used in navigation or not constructed or adapted for use in navigation. (Amended 46 of 1981 s. 3)

- 1.6 After the initial survey, the condition of the ship and its equipment should be maintained to conform with the requirements of the relevant regulations, instructions and Marine Department Notice as stipulated in paragraph 1.1 to ensure that the ship in all respects will remain fit for the intended services. The ship is subject to periodical survey by the Marine Department Surveyor. No alteration is permitted to be made whatsoever without the prior approval from the Director of Marine. Failure to comply with the conditions may result in withdrawal of the Certificate of Survey and suspension of the aforesaid licence, and proceedings may be taken against the owner and/or his agent or employee as provided for under the Ordinance and appropriate regulations made thereunder.
- 1.7 Plan approval and inspection of the ship shall only be conducted by the Marine Department Surveyor.

2. Requirements and Construction of Hull

- 2.1 Following an application for survey for issuing a first licence to a proposed or an existing ship to be used as a treatment centre, information, data and plans as stipulated in the Launch Regulation, the relevant instructions and Marine Department Notice should be submitted to the Marine Department for consideration.
- 2.2 Upon the completion of approval of plans, the ship shall be surveyed for items as advised by the Marine Department.
- 2.3 The construction of the hull in relation to the registered length, construction standard, coamings, bulkheads, casings, freeboard, watertight subdivision, stability, towing, sidescuttles below deck, flooring and drainage, position of helmsman, marking of hull and tonnage have all been stipulated in the Launch Regulation, the relevant instructions and Marine Department Notice.

3. Passenger Accommodation

- 3.1 The passenger space should be constructed and arranged in accordance with the Launch Regulation, the relevant instructions and Marine Department Notice. In general, the space and any area accessible to passengers in the ship should –
 - (a) be protected from sea and weather;
 - (b) be well lighted and ventilated;
 - (c) not be subject to any abnormal heat, smoke and noise; and
 - (d) have at least 1.85 metres of clear headroom above deck covering.

- 3.2 Any deck or bulkhead, or part of a deck or bulkhead, which separates a passenger space from any machinery space, paint room, galley or spaces used for the storage of flammable oils, should be gastight.
- 3.3 All deck coverings, ceilings and linings should be of acceptable materials. Paints, varnishes and other finishes used on exposed interior surface should not be materials of producing excessive quantities of smoke and toxic fumes.
- 3.4 Windows should be made of materials which will not break into dangerous fragments if fractured.
- 3.5 Except with the approval from the Director of Marine, the maximum number of decks assigned for carrying passengers should not be more than three.
- 3.6 The position of passenger space, deck areas disallowed for passengers, maximum number of passengers and markings in passenger spaces; passenger seating; escape arrangements, passageways, stairways, doors and exits; ventilation, lighting, deck sheathing and insulation; bulwark and guard rails; provision of sanitary apparatus; marking of escape routes and life jacket stowage; crew numbers and noise levels have been stipulated in the Launch Regulation, the relevant instructions and Marine Department Notice.

4. Machinery Installations

- 4.1 The requirements on propulsion engines, engine installations, propeller shafting, trials, machinery compartment, nature of fuel, fuel tanks, positioning and fittings of fuel tanks, piping arrangement, air receivers, bilge pumping arrangement, windlass, anchors and cables, steering system, wheelhouse-engine room communication and oil pollution prevention installation have been stipulated in the Launch Regulation, the relevant instructions, Marine Department Notice and the Merchant Shipping (Prevention and Control of Pollution) Ordinance.

5. Fire Fighting Appliances

- 5.1 Fire fighting appliances are to be provided in accordance with the appropriate section of the Launch Regulation and the relevant instructions. Every fire fighting appliance on board shall be in working order, easily accessible and ready for immediate use.
- 5.2 The hydrant, hose and nozzle and fire pump shall be provided so that at least one jet of water can reach any part of the ship.

- 5.3 The main fire pump, and the secondary fire pump if driven by power, shall be capable of delivering at least one jet of water from any fire hydrant hose and nozzle.
- 5.4 The secondary fire pump shall be permanently connected to the fire main. The pump and its source of power, if any, shall not be situated in the same compartment as the main fire pump and shall be provided with a permanent sea connection situated outside the machinery space. A manually operated pump shall be capable of producing a jet of water having a throw of not less than 6 metres from nozzle.
- 5.5 For ships fully decked less than 21.34 metres in length and ships not fully decked but are decked in way of the machinery spaces – a manual pump and, a dual purpose nozzle or a 9mm jet nozzle and a spray nozzle are required. If such equipment is provided, fire bucket(s) shall not be required.
- 5.6 Fire main, water service pipes, hydrants, hoses and nozzles shall comply with requirements of the Launch Regulation, the relevant instructions and Marine Department Notice.
- 5.7 At least one fire hose shall be provided for every hydrant.
- 5.8 The required portable extinguishers are to be suitably distributed throughout the protected spaces and so mounted as to be readily and speedily available at all times.
- 5.9 Fire extinguisher placed in engine room shall be of the type suitable for oil fire.

6. Life Saving Appliances

- 6.1 Life saving appliances are to be provided in accordance with the appropriate parts of the Launch Regulation, the relevant instructions and Marine Department Notice. Every life saving appliance on board shall be in working order, easily accessible and ready for immediate use.

7. Light and Sound Signals

- 7.1 Light and sound signals shall be provided in accordance with the requirements of the International Regulations for Preventing Collisions at Sea 1972, as amended.
- 7.2 A set of spare bulbs (one per light) should be carried for the electric lanterns.

7.3 All lanterns and sound signals are to comply with the performance specifications stipulated in the International Regulations for Preventing Collisions at Sea 1972, as amended and must be of the type approved/certified by the Marine Department or Maritime Administration of a convention party.

8. Required Plans and Data

8.1 The Marine Department accepts drawings of hull construction, machinery installation and electrical installation approved by the Marine Department. If the drawings are not examined by the Marine Department, one copy of each of those officially approved drawings should be submitted to the Marine Department for record purpose.

9. Manning (for ship operation)

9.1 The ship operating in Hong Kong waters must carry the appropriate complement of master and engineer holding local certificates of competency granted under the Ordinance or as specified by the Director of Marine.

Social Welfare Department
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