

M.S. Notice 21 of 2010

No:70-NT(1)/2008-pt

Dated: 08.11.2010

Subject: Safe Carriage of cargoes and oil fuels by sea - Chapter VI and VII of SOLAS 74, as amended. as amended - reg.

PART I

Introduction

1) Carriage of cargoes and oil fuels by sea is regulated in order to prevent injury to persons or damage to ship and their cargoes. Carriage of all types of cargoes such as Solid Bulk, Grain, Timber, Oil, Gas, Chemicals in Bulk, Radio Active Materials, IMDG in packaged form, Containers, Cargo Units and General Cargoes, etc. are specified in Chapter VI and VII of SOLAS 1974. These cargoes owing to their particular hazards to the ships or person on board may require special precautions during loading, stowing, securing, carriage and discharging on board ships. These safeguards are prescribed in these two chapters of SOLAS 74 as amended. Detailed guidelines on the safe loading, stowage, carriage and discharging are supplemented in the various mandatory or recommendatory codes namely International Maritime Dangerous Goods (IMDG) Code, Grain, Timber, International Maritime Solid Bulk Cargoes (IMSBC) Code, International Gas Code (IGC), International Bulk Chemical Cargoes (IBC) Code and Cargo Stowage and Securing Code which forms part of SOLAS Chapter VI and VII. Design, Construction, Testing, Approval and Maintenance of Containers are regulated through Container Safety Convention (CSC) 1972. India became party to this Convention on 21st July, 1971 and this Convention entered into force Internationally on 06th September, 1977 as well as for India. The cargoes stated above may possess the following dangers in one way or other:

- Improper weight distribution resulting in structural damage.
- Improper stability and cargo shift.
- Spontaneous heating
- Chemical and Radiation Hazards
- Tendency to liquefy and effect the safety of ship and cause damage to marine environment

2) The Central Government recognizing the significance of above hazards ratified SOLAS 1974 on 16.06.1976 and these provisions entered into force on 25.05.1980 internationally as well as for India. The certain provisions of Chapter VI- Carriage of Cargoes and oil fuels and VII-Carriage of Dangerous Goods of SOLAS 1974 as amended have been incorporated in the Merchant Shipping Act 1958. Whereas, the detailed technical rules in respect of these chapters have been framed under the provision of Merchant Shipping Act 1958 called Merchant Shipping (Carriage of Cargo) Rules 1995. These two chapters have been amended by IMO several times. The Merchant Shipping (Carriage of Cargo) Rules 1995 have not been correspondingly amended by the Central

Government. However, many Merchant Shipping Notices have been issued by the Directorate General of Shipping addressing the provisions of new amendments effecting Chapter VI and VII of SOLAS 1974 as amended.

PART II

Compliance with Carriage of Cargo Regulations and Rules

Existing National rules:

3) The existing Merchant Shipping (Carriage of Cargo) Rules 1995 are under revision to incorporate new provisions under these two chapters. Under these circumstances, all stake holders shall continue to comply with following existing rules:

- n Section 330-331, 331A & 332-Timber / Dangerous Goods / Grain
- n Part III of Merchant Shipping (Carriage of Cargo) Rules, 1991;
- n Merchant Shipping (Carriage of Cargoes) Rules 1995
- n Cargo Circular NT-CRG-01/03 dated 24th November, 2003 - carriage of Dangerous Goods-packaging certification
- n Cargo Circular NT-CRG-01/2006 dated 17th May, 2006 - Carriage of Dangerous cargo and goods on sailing vessels-Prohibition
- n Merchant Shipping Notice No.34/2009- Additional measures for solid bulk cargo especially iron ore fines from Indian ports.
- n Merchant Shipping Notice 6/2010- Safe carriage of Dangerous goods by sea in accordance with the provision of International Maritime Dangerous Goods Code(IMDG Code), as amended.
- n Merchant Shipping Notice 9/2010- Safe Carriage of loading, stowage, carriage and discharging of Iron Ore fines on ships from Indian Ports in fair and foul season-regarding;

New Provisions of Chapter VI & VII of SOLAS 1974 as amended:

4) The provisions of Chapter VI & VII of SOLAS 1974, as amended adopted by IMO are enumerated below:

- **December 1994 amendments enter into force on 1st July 1996**

Regulation 5 - Stowage and Securing

The code of safety practice for Cargo Stowage and Securing became mandatory with effect from 1st July 1996.

- **October 2007 amendments came into force 1st July 2009 (MSDS)**

Regulation 5-1

Material Safety Data Sheets for cargoes defined under MARPOL Annex I of Protocol 73/78 and Marine fuel oils based on the recommendations under MSC.286 (86) to comply with.

- **December 2008 amendments came into force 1st January 2011 (IMSBC) -**

Chapter VI - The IMSBC Code will replace the code of Safe Practice for Solid Bulk Cargoes (BC Code)

Chapter VII - Part B - Construction and equipment of ships carrying dangerous liquid chemicals in bulk

(a) All chemical tankers constructed or adopted to carry dangerous chemicals in bulk shall comply with the International Bulk Chemical Code (IBC Code) as amended and the provisions of Part B of Chapter VII.

Chapter VII - Part C - Carrying liquefied gases in bulk

(b) All chemical tankers constructed or adopted to liquefied gases in bulk shall comply with the International Gas Code (IGC Code) as amended and the provisions of Part C of Chapter VII.

- **June 2009 amendments came into force 1st January 2011**

Chapter VI to read as - Carriage of cargoes and oil fuels (added).

5) A copy of latest edition of SOLAS 1974 as amended highlighting these amendments along with the applicable codes to the ship type under chapter VI and VII, Indian Rules and Notices as stated above shall be maintained on board Indian ships as well as ashore in the shipping company's office for reference purpose.

6) The type approval of cargo related equipments, plans and interim appropriate Certificates required under the SOLAS 1974 shall be issued by Indian Register of Shipping (IRS) after completing satisfactory Examination, Inspection / Survey. The relevant plans and manuals shall be approved by the IRS.

7) The Director General of Shipping authorizes the Principal Officer, Mercantile Marine Department District or his Authorized Official or other Person authorized by the Central Government to conduct the inspection under the Section 330, 331, 331-A to verify the compliance in respect of loading of Timber, Dangerous Goods and Grain Cargoes respectively. The Director General of Shipping may authorize such Officials to conduct inspection of any other cargoes stated above including the standard of Construction, Certification and Maintenance of Freight/Offshore Containers as required under the Container Safety Convention, 1972 as amended. Such officials shall detain the ships or containers as the case may be if found not complying with the provisions of the Merchant Shipping Act, 1958, relevant Rules and all the M. S. notices issued by DG Shipping from time to time. He shall conduct the inspection in accordance with procedure laid out in IMO resolution 787 (19) as amended by 882 (21) as well as the control procedures of under Container Safety Convention, 1972 (CSC) as amended.

8) The Director General of Shipping recognizes that safe carriage of cargoes and oil fuels including Freight Containers / Offshore Containers on board ships from Indian ports would prevent marine casualties and protect the sensitive marine environment of Indian coast. In view of this, the Directorate General of Shipping now issues the above the directives under the provision of Section 334 / 336 of the Merchant Shipping Act, 1958 and rules framed there under.

9) All concerned in the safe carriage of cargoes and oil fuels including Freight Containers / Offshore Containers from Indian ports or places shall comply with these provisions of Merchant Shipping Act,

1958, Merchant Shipping (Carriage of Cargo) Rules, 1995, all above notices and new Regulations specified in Para 4) above. In the event of contravention of any of these provisions, an appropriate legal action as prescribed in Indian Merchant Shipping Act, 1958 may be taken.

10) Co-operation of all concerned is solicited for the purpose of protecting sea borne Trade, Promoting Safety of Life, Property and preservation of Marine Environment.

11) This has the approval of Director General of Shipping.

Sd/-

(Capt. Deepak Kapoor)

Nautical Surveyor-cum-

Dy. Director General of Shipping [Tech]