Regulation of 29 June 2006 No. 785 concerning the carriage of cargoes on cargo ships and barges


§ 1
Scope of application

This Regulation applies to all Norwegian-registered cargo ships and lighters/barges, unless otherwise provided for in the individual Sections.¹

This Regulation applies to the carriage of cargoes, except liquid substances in bulk, gas in bulk and aspects of the carriage which are covered by other regulations, which, owing to the special danger those aspects represent to the ship or those on board may require special precautions on all ships covered by this Regulation.²

The transport of liquid substances in bulk, gas in bulk and the aspects of the transport covered by other rules are excepted from this Regulation.

¹ See Regulation of 21 May 1987 No. 406 concerning carriage by ship of special or dangerous cargoes in bulk or as packaged goods for passenger ships.
² See Regulation of 29 June 2006 No. 786 concerning the carriage of dangerous cargoes on cargo ships and barges and Regulation of 29 August 2003 No. 1133 concerning the safe loading and unloading of bulk carriers.

§ 2
Definitions

For the purposes of this Regulation:

(1) BC Code means the Code of Safe Practice for Solid Bulk Cargoes, adopted by the IMO, by resolution A.434(XI), as subsequently amended.
(2) BLU Code means the Code of Practice for the Safe Loading and Unloading of Bulk Carriers, adopted by the IMO, by resolution A.862(20) as subsequently amended.
(3) CSS Code means the Code of Safe Practice for Cargo Stowage and Securing, adopted by the IMO, by resolution A.714(17), as subsequently amended.
(4) Grain Code means the Code for the Safe Carriage of Grain in Bulk, adopted by the IMO, by resolution MSC.23(59), as subsequently amended.
(5) Cargo Securing Manual means a manual for the securing of cargo, as required by SOLAS, prepared pursuant to IMO guidelines (MSC/Circ.745).
(6) MARPOL 73/78 means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, as subsequently amended.
(7) SOLAS means the International Convention for the Safety of Life at Sea 1974, as subsequently amended.
(8) Terminal means any fixed, floating or mobile installation equipped and used for loading or unloading of ships.
(9) Terminal operator means the owner of a terminal, or any organization or person having taken over from the owner the responsibility for loading or unloading operations carried out at the terminal for a particular ship.
(10) Terminal representative means any person appointed by the terminal operator, who has the overall responsibility for and the authority to control the preparation, the conduct and the completion of the loading or unloading operations conducted by the terminal for a particular ship.

§ 3
Duties

The company, master and other persons working on board shall perform their duties in accordance with the Ship Safety and Security Act and the supplementary provisions laid down in this Regulation.

The shipper shall ensure compliance with the provisions of the second and third paragraphs of § 6.

Amended by Regulation of 29 June 2007 No. 1006 (in force on 1 July 2007).
§ 4
Exemptions

The Norwegian Maritime Directorate may, in individual cases and upon written application, grant exemption from the requirements of this Regulation. There must be special reasons that make the exemption necessary and it must be justifiable in terms of safety. Exemptions can only be granted where they do not contravene international agreements to which Norway has acceded.

§ 5
Relationship to international legislation

The following international legislation applies to ships covered by this Regulation, unless otherwise explicitly provided for in the individual provisions:

a) SOLAS, Chapter VI;

b) BC Code;

c) CSS Code, subchapter 1.9.;

d) Grain Code.

§ 6
Cargo information

Necessary cargo information shall be available during loading operations to ensure safe stowing and transport. The shipper shall provide the master or his representative with information on the cargo sufficiently in advance of loading to enable the precautions which may be necessary for proper stowage and safe carriage of cargo to be put into effect. Such information shall be confirmed in writing and by appropriate shipping documents prior to loading the cargo on the ship.

The cargo information shall include:

a) in the case of general cargo, and of cargo carried in cargo units, a general description of the cargo, the gross mass of the cargo or of the cargo units, and any relevant special properties of the cargo;

b) in the case of bulk cargo, information on the stowage factor of the cargo, the trimming procedures, likelihood of shifting including angle of repose, if applicable, and any other relevant special properties. In the case of a concentrate or other cargo which may liquefy, additional information in the form of a certificate on the moisture content of the cargo and its transportable moisture limit;

c) in the case of bulk cargo not classified in accordance with the provisions of SOLAS Chapter VII, but which has chemical properties that may create a potential hazard, in addition to the information required by paragraph b), information on its chemical properties.

§ 7
Acceptability for shipment of bulk cargoes

Concentrates or other cargoes which may liquefy shall only be accepted for loading when the actual moisture content of the cargo is less than its transportable moisture limit.

Cargoes which may liquefy during carriage shall be subject to periodical controls every six months.

Prior to loading a bulk cargo which is not a cargo classified in accordance with the provisions of SOLAS, Chapter VII, but which has chemical properties that may create a potential hazard, special precautions for its safe carriage shall be taken, cf. Section 5.

1 Laboratory examinations pursuant to the BC Code will be carried out by SINTEF.

§ 8
Cargo Securing Manual, booklet for stability data and strength and loading and unloading plan

An approved Cargo Securing Manual shall be kept on board. Cargo ships holding certificates for domestic trade and lighters/barges in all trade areas shall keep a Cargo Securing Manual on board, but there are no requirements for the approval of the Manual by the Norwegian Maritime Directorate, or whoever is authorized by the Directorate.

To enable the master to prevent excessive stresses in the ship’s structural members, the ship shall be provided with a booklet for stability data and strength written in English. This requirement does not apply to cargo ships holding certificates for domestic trade and lighters/barges in all trade areas.

Before a solid bulk cargo is loaded or unloaded, the master and the terminal representative shall agree on a loading and unloading plan which shall ensure that the permissible forces and moments on the ship are not exceeded during
loading or unloading. This requirement does not apply to cargo ships holding certificates for domestic trade and lighters/barges in all trade areas.

\[1\] Refer to the Regulation of 29 August 2003 No. 1114 concerning the safe loading and unloading of bulk carriers.

§ 9

Documentation

Ships carrying cargoes covered by this Chapter shall, to the extent they are covered by the body of legislation, keep the following documentation on board:

a) BC Code;

b) BLU Code;

c) CSS Code;

d) booklet for stability data and strength, cf. Section 8;

e) document of authorization for the carriage of grain, where the Grain Code so requires;

f) Grain Code;

g) loading and unloading plan, cf. Section 8;

h) Cargo Securing Manual, cf. Section 8;

i) SOLAS, Chapters VI and VII.

§ 10

Entry into force

This Regulation enters into force on 1 July 2006.

As of the same date, the Regulations of 21 May 1987 No. 406 concerning carriage by ship of special or dangerous cargoes in bulk or as packaged goods, are repealed.