Regulation of 29 June 2006 No. 786 concerning the carriage of dangerous cargoes on cargo ships and barges


§ 1
Scope of application

This Regulation shall apply to all Norwegian cargo ships and lighters/barges, unless otherwise provided for in the individual Sections.1 2

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. 785 concerning the carriage of 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) BCH Code means the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, adopted by the IMO, by resolution A.212 (VII), as subsequently amended.
(4) EmS means Emergency Response Procedures for Ships Carrying Dangerous Goods, MSC/Circ. 1025, as subsequently amended.
(5) GC Code means the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, adopted by the IMO by resolution A.328(IX), as subsequently amended.
(6) Gas Code for existing gas carriers means the Code for Existing Ships Carrying Liquefied Gases in Bulk, adopted by the IMO, by resolution A.329 (IX), as subsequently amended.
(7) IBC Code means the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk, adopted by the IMO, by resolution MSC.4(48), as subsequently amended.
(8) IGC Code means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, adopted by the IMO, by resolution MSC.5(48), as subsequently amended.
(9) IMDG Code means the International Maritime Dangerous Goods Code, adopted by the IMO, by resolution A.716(17), as subsequently amended.
(11) Cargo Securing Manual means a manual for the securing of cargo, as required by SOLAS, prepared pursuant to IMO guidelines, MSC/Circ.745, as subsequently amended.
(12) 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.
(13) MFAG means the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods, MSC/Circ. 857, as subsequently amended.
(14) Resolution A.673 (16) means the IMO Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk in offshore supply vessels
(15) SOLAS means the International Convention for the Safety of Life at Sea 1974, as subsequently amended.
(16) STCW means the International Convention for Standards, Training, Certificates and Watchkeeping 1978, as subsequently amended.
§ 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 provision of the second paragraph of § 7.

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 VII;
b) BC Code;
c) IBC Code/BCH Code;
d) IGC Code/GC Code/ Gas Code for existing gas carriers;
e) IMDG Code;
f) INF Code;
g) Res. A.673(16);
h) Directive 93/75/EEC.

The international entry into force shall be complied with, unless another entry into force has been explicitly provided for.

§ 6

Special fire safety measures

Cargo ships of more than 500 gross tonnage constructed after 1 September 1984 and before 1 July 2002, operating in great coasting or a greater trade area, shall comply with the special safety requirements of regulation II-2/54 of the 2001 edition of the SOLAS Convention.

All cargo ships, irrespective of size, constructed after 1 July 2002, operating in great coasting or a greater trade area, shall comply with regulation II-2/19 of the 2004 edition of the SOLAS Convention, as subsequently amended.

§ 7

Ships carrying dangerous goods in packaged form or in solid form in bulk

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

a) SOLAS, Chapter VII;
b) SOLAS, Regulation II-2/19 / Regulation II-2/543;
c) MARPOL, Annex III;
d) BC Code;
e) IMDG Code;
f) EmS;
g) MFAG;
h) Directive 93/75/EEC.

Packages containing dangerous goods offered for sea transport shall be marked and packaged in compliance with applicable regulations, and accompanied by the necessary transport documents. Goods which do not comply with this shall be refused for transport. Goods in damaged packaging shall always be refused.

All ships carrying dangerous goods shall have a special list, manifest or detailed stowage plan which sets out the dangerous goods on board and their location.

The Norwegian Radiation Protection Authority is the relevant authority for radioactive substances (Class 7). Permission pursuant to the Act of 12 May 1972 concerning nuclear energy activities is required for the transport of...
nuclear substance (enriched uranium, plutonium and radioactive waste). Documentation of such permission shall be kept on board.¹

All land-based company personnel and all crew members who are to perform duties involving the evaluation and treatment of dangerous packaged goods on cargo ships, shall receive training in the handling of and safety measures for dangerous packaged goods. The training shall comply with the requirements of the IMDG Code and the STCW, and must be documentable.

¹ The Norwegian Radiation Protection authority is the supervisory authority pursuant to the Act of 12 May 1972 Nor. 28 concerning nuclear energy activities.

§ 8

Ships carrying dangerous liquid chemicals in bulk

Ships carrying dangerous liquid chemicals in bulk shall, to the extent they are covered by the body of legislation mentioned in sub-paragraphs a-g below, keep the following documentation on board:

a) SOLAS, Chapter VII;
b) MARPOL, Annex II;
c) IBC Code;
d) BCH Code;
e) Resolution A.673 (16);
f) MFAG;
g) Directive 2002/59/EC.

For chemical tankers where the Norwegian Maritime Directorate shall issue certificates, the company or the master shall be able to provide a written statement from the survey institution to the effect that the ship satisfies respectively the regulations of the IBC Code or the BCH Code with regard to the carriage of liquid chemicals, as well as a list of the cargoes which the ship is approved to carry.

Chemical tankers the keel of which was laid, or which was at a similar stage of construction, on or after 1 July 1986 shall comply with the provisions of SOLAS, Chapter VII, as well as with the provisions of the IBC Code.

Chemical tankers the keel of which was laid, or which was at a similar stage of construction prior to 1 July 1986 shall comply with the provisions of the BCH Code.

IMO Resolution A.673 (16) shall apply to all combustible substances, regardless of whether they are listed in Appendix 1 to the Resolution.

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

§ 9

Ships carrying liquid gases in bulk

Ships carrying liquid gases in bulk shall, to the extent they are covered by the body of legislation, keep the following documentation on board:

a) SOLAS, Chapter VII;
b) IGC Code;
c) Gas Code for existing gas carriers;
d) GC Code;
e) Resolution A.673 (16);
f) MFAG;
g) Directive 2002/59/EC.

For gas carriers where the Norwegian Maritime Directorate shall issue certificates, the company or the master shall be able to provide a written statement from the survey institution to the effect that the ship satisfies respectively the regulations of the IGC Code, GC Code or the Gas Code for existing gas carriers with regard to the carriage of liquid gases, as well as a list of the cargoes which the ship is approved to carry.

Gas carriers the keel of which was laid, or which was at a similar stage of construction, on or after 1 July 1986 shall comply with the provisions of SOLAS, Chapter VII, as well as with the provisions of the IGC Code.

Gas carriers the keel of which was laid, or which was at a similar stage of construction, before 1 July 1986 shall comply with the GC Code or the Gas Code for existing gas carriers, respectively. The GC Code shall be complied with in cases where the building contract was concluded after 31 October 1976, where the keel was laid or at a similar stage of construction after 31 December 1976, or where delivery took place after 30 June 1980. The same dates apply in cases of major conversions, for conclusions of contracts, commenced conversions and completions, respectively.

Amended by Regulation of 29 June 2007 No. 1006 (in force on 1 July 2007).
§ 10

Ships carrying packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes (INF)

Ships carrying packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes (INF) shall, to the extent they are covered by the body of legislation, keep the following documentation on board:

a) SOLAS, Chapter VII;
b) EmS;
c) INF Code;
d) IMDG Code;
e) MARPOL, Annex III;
f) MFAG;
g) Directive 2002/59/EC.
h) Permission pursuant to the Act of 12 May 1972 concerning nuclear energy activities is required for the transport of nuclear substance (enriched uranium, plutonium and radioactive waste). Documentation of such permission shall be kept on board.

§ 11

Entry into force

This Regulation shall enter 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.