

Isle of Man Ship Registry

CONSULTATION:

Regulations Applying SOLAS Chapter VII – Dangerous Goods

Opening Date: 12th November 2021

Closing Date: 24th December 2021

Department for Enterprise
Proposed update to legislation implementing
SOLAS Chapter VII – Regulations for Dangerous Goods

The Isle of Man Ship Registry is consulting on proposals to make new regulations to give effect to the latest version of SOLAS Chapter VII and the various codes which it applies. The current Regulations applying SOLAS Chapter VII are the Merchant Shipping (SOLAS VII - Carriage of Dangerous Goods) Regulations 2015, which will be revoked.

SOLAS Chapter VII regulates the carriage of dangerous goods by ships, with 'dangerous goods' being defined as any substance, material or article covered by the IMDG Code.

There have been a number of amendments to the codes applied by SOLAS Chapter VII since the current Regulations were made in 2015. Operators should be familiar with these requirements since these are already in force internationally and therefore we do not foresee any changes to current practices. The new Regulations do not implement any updates to the SOLAS convention text, as the most recent amendments remain those applied by MSC.325(90). The purpose of the proposed regulations is to apply the latest versions of the codes that are applied by SOLAS Chapter VII – a full list of the Codes applied by SOLAS Chapter VII can be found in Section 4 of this document.

Please address responses to this consultation to:

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When responding, please consider whether you are willing to have your response published and indicate your preference from the following options:

- **Response can be published together with your name/organisation**
- **Response can be published anonymously**
- **Response can not be published**

This consultation will close at 17:00hrs on 12th November 2021.

SECTION 1 – INTRODUCTION

SOLAS Chapter VII regulates the carriage of dangerous goods by sea.

The Isle of Man currently gives effect to SOLAS Chapter VII by the Merchant Shipping (SOLAS VII - Carriage of Dangerous Goods) Regulations 2015. It is proposed that these Regulations will be revoked and replaced with new Regulations which will take account of the most recent amendments to SOLAS Chapter VII Codes.

The proposed Regulations will require Manx ships wherever they might be and foreign ships in Manx territorial waters to comply with SOLAS Chapter VII as is applicable to the type of ship. As these Regulations give effect to part of an international convention and codes, there is limited scope for interpretation.

There is no specific survey or certification requirement under SOLAS Chapter VII, although ships may be inspected for compliance with the requirements of SOLAS Chapter VII as part of a Flag State General Inspection or Port State Control Inspection. A number of the Codes applied by SOLAS Chapter VII do require survey and certification – these are the IGC Code, IBC Code and INF Code. In all cases, survey and certification under the Codes will be delegated to Recognised Organisations.

SECTION 2 – APPLICATION

The proposed Regulations apply to Manx ships wherever they may be and to foreign ships in Manx territorial waters when carrying dangerous goods. It should be noted that 'Manx Ships' will include vessels registered under Part 3 of the Harbours Act 2010 (pleasure craft and certain other vessels) and cargo ships of less than 500gt. The proposed Regulations will not apply to fishing vessels or pleasure vessels.

It should be noted that SOLAS Chapter VII applies only to ships which engage on international voyages; however, to provide a regulatory regime for Manx ships not engaged on international voyages the proposed Regulations will extend to Manx ships irrespective of the type of voyage when loaded or intended to be loaded with dangerous goods. However, the Ship Registry may exempt a Manx ship not engaged on international voyages from complying with all or any of the requirements of the Regulations.

SECTION 3 – KEY REQUIREMENTS OF SOLAS CHAPTER VII

Below is an explanation of the key requirements of SOLAS Chapter VII. References to a numbered regulation in this section are a reference to a regulation in SOLAS Chapter VII.

The chapter is divided into 5 parts:

- Part A – Carriage of Dangerous Goods in Packaged Form
- Part A-1 – Carriage of Dangerous Goods in Solid Form in Bulk

- Part B – Construction and Equipment of Ships Carrying Dangerous Liquid Chemicals in Bulk
- Part C – Construction and Equipment of Ships Carrying Liquefied Gases in Bulk
- Part D – Special Requirements for the Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on-Board Ships

It should be noted that Part D will not be applied to Manx Ships by the proposed regulations since Manx ships are not permitted to carry INF-code cargoes. However, in the unlikely event that a foreign ship visited IOM territorial waters whilst carrying INF Code cargo it could be subject to inspection in accordance with SOLAS VII regulation 16(2) (Port State Control).

SOLAS Chapter VII requires cargo, cargo units and cargo transport units shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual, which shall be prepared by referring to IMO guidelines in MSC/Circ.1353/Rev.1 and which shall be approved by a Recognised Organisation.

Ships which are carrying IMDG Code cargoes must also carry an up to date copy of the Medical First Aid Guide for Use in Accidents involving Dangerous Goods (MFAG) which is reproduced in the supplement to the IMDG Code. MLN 4.1 also requires that ships carry the correct medicines and equipment in the quantities specified in Appendix 14 of the MFAG for the type of dangerous goods carried.

SOLAS Chapter VII also requires the reporting of incidents involving dangerous goods to the nearest coastal state. The report must be made with reference to the general principles for ship reporting systems for ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants (resolution A.851(20), as amended).

Ships must also comply with the relevant codes as applicable to the ship type and its operations (see Section 4).

SECTION 4 – CODES

SOLAS Chapter VII applies a number of codes:

IMDG Code which is mandatory for ships engaged in the carriage of dangerous goods in packaged form (latest revisions as per MSC.477(102)).

The International Maritime Solid Bulk Cargoes Code (**IMSBC Code**) is mandatory for ships engaged in the carriage of dangerous goods in solid form in bulk (latest revisions as per MSC.462(101)).

The International Bulk Chemical Code (**IBC Code**) is mandatory for chemical tankers constructed on or after 1 July 1986 including those of less than 500 gross tonnage (latest revisions as per MSC.460(101)).

The International Gas Carrier Code (**IGC Code**) is mandatory for gas carriers constructed on or after 1 July 1986 (latest revisions as per MSC.441(99) up to and including 31 December 2023 and as per MSC.476(102) from 1 January 2024).

The International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel Plutonium and High-Level Radioactive Wastes on Board Ships (**INF Code**) (latest revisions as per MSC.241(83)) is not applied to Manx Ships in the Regulations since carriage of INF Code cargoes is not permitted on Isle of Man registered ships. However, it is proposed that INF Code be applied to foreign ships carrying INF-Code cargoes whilst in the waters of the Isle of Man. It should be noted that the Ship Registry is not aware of any plans for INF-Code cargoes to be transported in Isle of Man waters but this section is include for the sake of completeness.