

Health and Safety Legislation Consultation

Freight Containers (Safety Convention) Regulations 2026

Department of Environment, Food and Agriculture

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Contact

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Overview

The Isle of Man (IOM) holds jurisdiction over its territorial waters but currently lacks a comprehensive offshore health, safety, and environmental framework. To address this, the Department of Environment, Food and Agriculture (DEFA) is reviewing and updating specific legislation to align with UK offshore Health and Safety Executive (HSE) legislation and standards, ensuring internationally recognised safety regulations for future offshore energy developments are in place.

This legislative reform aims to ensure health and safety standards will apply consistently to both onshore and offshore activities and in the process support the safe development of future offshore energy projects.

This consultation continues the process of updating IOM Health and Safety legislation and refers directly to the following draft legislation:

- **Freight Containers (Safety Convention) Regulations 2026**

Recognising the potential impact on IOM businesses, DEFA will implement a phased approach designed to give businesses sufficient time to prepare for compliance. Following public consultation and incorporation of any necessary amendments, the Department aims to submit the proposed legislation to Tynwald in early 2026, but with a target commencement date of 1st Oct 2026.

DEFA welcomes stakeholder and public feedback on updated and proposed health and safety legislation, and where appropriate any associated guidance documentation, through this public consultation process

What these Regulations do

The IOM **Freight Containers (Safety Convention) Regulations 2026** align with the **International Convention for Safe Containers (CSC) 1972** and UK standards and replace the **Freight Containers (Safety Convention) Regulations 1984** as applied to the Isle of Man. They establish requirements for container approval, marking, maintenance, and examination. Containers must display a valid safety approval plate, meet structural and marking standards, and be subject to approved examination schemes. The Regulations apply both on land and to certain activities and premises within the IOM's territorial sea, such as pipelines, offshore installations and the production of energy from wind.

How do they relate to the previous applicable IOM Regulations?

The UK **Freight Containers (Safety Convention) Regulations 1984** were introduced in the UK to implement the **International Convention for Safe Containers (CSC) 1972**. These regulations established the original framework for container safety, including requirements for structural integrity, the fixing of safety approval plates, and the use of approved examination schemes (either periodic or continuous).

The IOM **Freight Containers (Safety Convention) (Application) Order 1994** extended the application of the UK **Freight Containers (Safety Convention) Regulations 1984** to the IOM, effectively importing the UK framework into Manx law. However, the 1984 Regulations did not reflect later amendments to the CSC Convention or evolving international standards, and they predated the widespread adoption of SI units and updated marking protocols.

How do these Regulations compare with the current UK Legislation?

The IOM **Freight Containers (Safety Convention) Regulations 2026** closely mirror the UK's **Freight Containers (Safety Convention) Regulation 2017**.

Key differences to the current UK legislation include:

- **Authority:** Approval authority is DEFA in the IOM versus the UK Health and Safety Executive (HSE) in the UK.
- **Legal framework:** Includes both the UK Health and Safety at Work etc. Act 1974 and the IOM's Man's Health and Safety at Work, Etc., Act 1977.
- **Revocation:** of the 1994 Application Order specific to the IOM.

- **Terminology differences:** Example; 'Department' vs. 'Executive'.

Practical Implications of the new legislation

Set out below is a summary of practical implications of the new legislation:

- **Valid Approvals:** Requires owners and lessees to ensure containers have valid approval.
 - *Regulation 5(1)(a).*
- **Approval plate:** Requires containers to display a valid safety approval plate.
 - *Regulation 5(1)(b), Regulation 7.*
- **Maintenance:** Requires containers to be properly maintained.
 - *Regulation 5(1)(c).*
- **Examination:** Requires containers to meet examination requirements.
 - *Regulation 5(1)(d), Regulation 9.*
- **Markings-1:** Requires markings to be consistent with safety approval plate data.
 - *Regulation 5(1)(e).*
- **Markings-2:** Requires conspicuous marking in accordance with standards.
 - *Regulation 5(1)(f), Regulation 10.*
- **Transition Period:** Allows transitional use of containers constructed before 1 July 2014.
 - *Regulation 8.*
- **Defence Clauses:** Allows defence clauses for bailment and leasing arrangements.
 - *Regulation 5(4).*
- **Territorial Sea Application:** Extends application to territorial sea.
 - *Regulation 4.*

What other Legislation is referred to within the Draft IOM Regulation?

- The UK **Health and Safety at Work etc. Act 1974 (of Parliament)**.
 - Referenced in the enabling powers and application of the Regulation.
 - *Regulation 1 & 4.*
- The IOM **Health and Safety at Work etc. Act 1977 (Isle of Man)**.
- The IOM **Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025**.
 - This existing Act and new Order (once enacted) provide the local legislative basis for applying the 1974 Act in the IOM and to the territorial waters.
 - *Regulation 1 & 4.*
- The UK **Freight Containers (Safety Convention) Regulation 1984**.
 - The previous UK Regulation applied to the IOM, now being replaced.
 - *Regulation 3 & Regulation 11.*
- The IOM **Freight Containers (Safety Convention) (Application) Order 1994**.
 - The order that applied the 1984 Regulation to the IOM, now revoked.
 - *Regulation 11.*
- **International Convention for Safe Containers 1972 (CSC 1972).**

- The international treaty being implemented through these Regulation.
- *Regulation 3 & Explanatory Note.*
- **British Standard Freight Containers – Coding, Identification and Marking.**
 - Referenced for marking requirements for containers constructed before 3 November 2024.
 - *Regulation 10(1)(a).*
- **International Standard ISO 6346:2022.**
 - Referenced for marking requirements for containers constructed on or after 3 November 2024.
 - *Regulation 10(1)(b).*

Consultation Objectives

The following are the objectives of this consultation:

1. **Legislative alignment:**
Assess stakeholder support for aligning Manx health & safety legislation with UK standards, ensuring consistency and regulatory compatibility.
2. **Regulatory scope and clarity:**
Identify specific areas within health & safety regulation that may require additional focus, clarification, or enhancement to meet industry needs and best practices.
3. **Industry impact and readiness:**
Understand potential challenges for IOM-based businesses in adapting to the new framework, including operational, financial, or compliance-related concerns.
4. **Support mechanisms:**
Identify the support needs of stakeholders (e.g., guidance, training, transitional arrangements) to facilitate effective implementation and compliance with the new regime.
5. **Feedback on draft legislation:**
Collect stakeholder input on the draft legislative instruments for each stage of consultation.
6. **General feedback:**
Provide an open channel for additional comments, concerns, or suggestions to inform the development of a robust and responsive health & safety framework.

IOM Health & Safety at Work Inspectorate

When any new legislation is introduced the Department is conscious of the need to ensure that the best guidance documentation is available. The current [IOM HSWI website](#) states the following:

“UK legislation and their associated codes of practice is best viewed as an illustration of good practice which may be helpful in explaining the general duties imposed by the Health and Safety at Work etc. Act 1974”.

Differences between UK HSE ACOPs and UK HSE Guidance

When referring to UK codes of practice, better known as “Approved Codes of Practice (ACOPs)” it is important to note and be aware of the differences between UK Health and Safety Executive (HSE) guidance and a UK HSE issued ACOP. UK HSE clarifies the differences here: [Legal status of HSE guidance and ACOPs](#).

When reading a UK HSE published ACOP, individuals and organisations should be aware of the presentation convention; which is normally explained within the documentation. A common standard is that ACOP text is set out in bold, accompanying guidance in normal type, with the text of the actual Regulations in italics.

It should also be noted that whilst certain UK Regulations have an associated ACOP, others only have guidance. As an example there is no longer an ACOP for the UK Construction (Design and Management) Regulations (CDM) 2015; it was replaced by guidance when the regulations were last updated.

Using UK HSE Guidance Documents with IOM legislation

When referring to UK ACOPs and guidance to assist with compliance of IOM legislation, individuals and organisations must be aware that whilst the intent is to align with the UK best practice, there may still be specific elements of the IOM legislation that are different to UK legislation. Examples being different paragraph and section/article numbering or elements of the UK legislation being omitted (e.g. if UK is referring to legislation not currently in place or applicable on the IOM).

Relevant UK ACOP or Guidance

The UK Health and Safety Executive (HSE) guidance for the equivalent of the IOM **Freight Containers (Safety Convention) Regulations 2026**, is in the form of “The Green Guide” (Freight container approval – Arrangements in Great Britain).

The guidance document is available here: [The Green Guide](#) and its purpose is as follows:

- Explains what should be covered by container examination schemes or programs.
- Supports compliance with the Freight Containers (Safety Convention) Regulations 2017.
- Reflects amendments made by the International Maritime Organization to the CSC 1972.

Summary

The proposed IOM **Freight Containers (Safety Convention) Regulations 2026** will modernise the IOM’s approach to freight container safety by aligning with internationally recognised standards and UK legislation. This ensures safer working environments both

onshore and offshore, and enhances regulatory clarity and consistency. The phased implementation will give businesses time to adapt, helping to improve safety outcomes without disrupting operations.

Why your views matter

This consultation gives stakeholders, industry, and the public the chance to provide feedback on the proposed Regulations. Your views will help ensure that the legislation is clear, practical, and effective in protecting workers' health.

Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all. The Department will take steps to accommodate any reasonable adjustments and provide such assistance as may reasonably be required to enable access or reply to this consultation. If this document is required in another format or assistance is required with accessing or replying to this consultation, please email DEFAOffshore@gov.im.

Responding to this consultation and questions

This consultation can be responded to by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation from the links on the consultation hub and email it to DEFAOffshore@gov.im or post it to:

The Offshore Team
Department of Environment Food and Agriculture,
Regulation Directorate,
Thie Slieau Whallian, Foxdale Road,
St Johns,
Isle of Man, IM4 3AS.

About you

1. Which option best describes your interest in responding to this consultation?

- ☐ Member of public
- ☐ Isle of Man Government
- ☐ Business owner or Stakeholder
- ☐ Member of Tynwald
- ☐ Other (please specify)

Other:

2. Are you responding on behalf of an organisation or industry?

- ☐ Yes
- ☐ No

Organisation / industry:

Number of people or organisations represented:

3. Are you happy for us to contact you regarding your response if we need to?

- ☐ Yes
- ☐ No

If yes then please add your name and contact email address.

Name:

Email:

4. May we publish your response?

Please read our Privacy Policy for more details and your rights.

More Information:

- **Publish in full** – your organisation name, or the industry you represent, along with full answers will be published on the hub (your email will not be published)
- **Publish anonymously** – only your responses will be published on the hub (your organisation name, or the industry you represent, and email will not be published)
- **Do not publish** – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

(An answer is required)

- ☐ Yes, you can publish my response in full
- ☐ Yes, you may publish my response anonymously
- ☐ No, please do not publish my response

Consultation Questions

1. Do you agree that the Isle of Man should follow UK standards and processes for health and safety laws and its regulation?
(Yes/No – Please tell us why you agree or disagree).
2. Are there any parts of the legislation being consulted upon that require more clarity to aid understanding and assist with compliance?
(Yes/No – If yes, please tell us which areas and why).
3. Is the proposed implementation strategy and timescale for the introduction of the **Freight Containers (Safety Convention) Regulation 2026** appropriate for industry readiness?
(Yes/No – Please add any comments you may have).
4. Are there any specific support mechanisms (e.g., guidance, training, transitional arrangements) that would help you or your organisation prepare for the new legislation? *(Yes/No – If yes, please tell us what kind of support would be most helpful).*
5. Do you have any other comments on the draft **Freight Containers (Safety Convention) Regulation 2026** legislation attached to this stage of the overall consultation process?
(Comment Box)
6. Is there anything else you'd like to tell us about the proposed changes or the consultation process?
(Comment Box)