

## **Shipping Consultative Committee**

### **Proposed amendments to Merchant Shipping Regulation**

#### **Purpose**

1. The purpose of this paper is to seek members' views on the proposal to amend the Hong Kong Merchant Shipping (Safety) (Dangerous Goods and Marine Pollutants) Regulation (Cap. 413H) to give effect to the International Maritime Solid Bulk Cargoes (IMSBC) Code.

#### **Backgrounds**

2. On 4 December 2008 the Marine Safety Committee (MSC) of IMO adopted by Resolutions MSC.268 (85) and MSC.269 (85), the International Maritime Solid Bulk Cargoes (IMSBC) Code and the amendments to chapters VI and VII of the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended (hereinafter referred to as 'the Convention'), to make the provisions of the IMSBC Code mandatory under the Convention. Copies of the two resolutions are enclosed for members' reference.

3. It is expected that the IMSBC Code shall enter into force internationally on 1 January 2011 in accordance with article VIII (b)(vii)(2) of the Convention.

#### **The IMSBC Code**

4. The mandatory provisions governing the carriage of solid bulk cargoes and the carriage of dangerous goods in solid form in bulk in Parts A and B of chapter VI and Part A-1 of chapter VII of the Convention are amplified in the IMSBC Code.

5. Though the IMSBC Code is mandatory under the provision of the Convention, some parts of the Code continue to be recommendatory or informative. In the Code, the words "shall", "should" and "may" would mean that the relevant provisions are "mandatory", "recommendatory" and "optional" respectively.

6. The Code has undergone many changes when it is compared with the "Code of Safety Practice for Solid Bulk Cargoes" (BC Code), both in layout and content in order to keep abreast with the latest developments in transport.

## **Implementation of International Requirements**

7. HKSAR should keep in line with the international standards and implement the new requirements mentioned in paragraph 3 above, by amending the Hong Kong Merchant Shipping (Safety) (Dangerous Goods and Marine Pollutants) Regulation (Cap. 413H).

## **Consultation**

8. Members are invited to comment on the above proposal to implement the IMSBC Code.

Marine Department  
Multi-lateral Policy Division

14 January 2010

## **Encl.**

Resolution MSC. 268(85)

Resolution MSC. 269(85)