

SCHEDULE 2

Regulation 3

Amendments to the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997

1. The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 are amended as follows.

2. In regulation 2 (interpretation), in paragraph (1)—

(a) delete the definition of “Bulk Cargoes Code”;

(b) in the definition of “IBC Code” for “1998” substitute “2007”(1);

(c) in the definition of “IMDG Code” for “2002” substitute “2010/11”(2);

(d) after the definition of “IMO Recommendations” insert—

“the IMSBC Code means the International Maritime Solid Bulk Cargoes (IMSBC) Code, 2009 edition & supplement (formerly the Code of Safe Practice for Solid Bulk Cargoes (BC Code))(3);”

(e) at the end of “the MARPOL Convention” add—

“and the amendments in force on the date on which the Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements)(Amendment) Regulations 2011 come into force.”; and

(f) for the definition of “SOLAS” substitute—

“SOLAS means the International Convention for the Safety of Life at Sea,1974 as amended in accordance with its Protocol of 1988 and the amendments in force on the date on which the Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) (Amendment) Regulations 2011 come into force;”.

3. In regulation 2 (interpretation), in paragraph (2)—

(a) delete “the Bulk Cargoes Code”; and

(b) for “or IMO Recommendations” substitute “IMO Recommendations or IMSBC Code”.

4. In regulation 10 (declaration) in paragraphs (1) and (3) after “taken on board any ship unless” insert “before the goods are taken on board”.

5. In regulation 10 after paragraph (3)(i) insert—

“(j) the emergency numbers of the person in possession of information on the physico-chemical characteristics of the products and on the action to be taken in an emergency, and

(k) the other data contained in the data safety sheet as specified in Annex B of Merchant Shipping Notice 1831 (M+F)”.

6. In regulation 20(2)(a) (carriage of dangerous goods or marine pollutants in bulk) for the words “Appendix B of the Solid Bulk Cargoes Code” substitute “Appendix 1 of the IMSBC Code”.

7. In regulation 21 (documentation), in paragraphs (1), (3)(a) and (4) for “Appendix B of the Bulk Cargoes Code” substitute “Appendix 1 of the IMSBC Code”.

8. In regulation 24 (penalties), in paragraph (2)(e) for “Bulk Cargoes Code” substitute “the IMSBC Code”.

9. After regulation 25 insert—

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(2) ISBN: 9789280115130.

(3) ISBN: 9789280142396.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Review

26.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the EU obligations implemented by these Regulations have been implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,
- (b) assess the extent to which those objectives have been achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which this regulation comes into force.

(5) Reports under this Regulation are afterwards to be published at intervals not exceeding five years.”.