



### **Mandatory Training Requirements under Chapter 1.3 of the International Maritime Dangerous Goods (IMDG) Code (2008 edition)**

## **General Information**

### **1.0 INTRODUCTION**

With the adoption of Amendment 34-08 to the IMDG Code (the 2008 edition) on 1 January 2010 the requirement that shore based personnel involved in the transport of dangerous goods for sea transport be provided with appropriate training will become mandatory.

The application of the IMDG Code is mandatory under SOLAS, Chapter VII regulation 3.

The mandatory training requirement has been adopted in recognition that the successful application of the requirements and objectives of the IMDG Code is dependent on those involved having an appreciation of the risks and a detailed understanding of the requirements.



#### **1.1 Australian Context**

As Australia has ratified and adopted SOLAS we are bound to implement this requirement. The requirement for training will be incorporated in Australian domestic legislation in Marine Orders Part 41 (MO41)<sup>1</sup>. The process of implementation, training requirements and means of enforcement are covered in this information sheet.

Marine Orders Part 41 is made under the powers given in the *Navigation Act 1912* which generally applies to ships undertaking interstate and international voyages. For ships subject to the Navigation Act, the training requirements of the IMDG Code will apply to shore-based personnel engaged in the transport of dangerous goods intended to be transported by sea from a port in Australia.

<sup>1</sup>The current edition of MO41, and other Marine Orders, can be accessed at [www.amsa.gov.au\\_shipping\\_safety/marine\\_orders/Marine\\_Orders\\_currently\\_in\\_force.asp](http://www.amsa.gov.au_shipping_safety/marine_orders/Marine_Orders_currently_in_force.asp)

<sup>2</sup>For the training of officers and ratings responsible for cargo handling on ships carrying dangerous and hazardous substances in solid form in bulk, or in packaged form, see the STCW Code, as amended.

<sup>3</sup>Entities engaging shore-based personnel who will be engaged in the transport of dangerous goods intended to be transported by sea.

Accredited means training that has been accepted by AMSA for those undertaking the functions described in section 2.2 of this sheet. The process for acceptance of such training is detailed in [www.amsa.gov.au/Shipping\\_Safety/Cargoes\\_and\\_Dangerous\\_Goods/Carriage\\_of\\_DG\\_by\\_Sea\(Trainers\).pdf](http://www.amsa.gov.au/Shipping_Safety/Cargoes_and_Dangerous_Goods/Carriage_of_DG_by_Sea(Trainers).pdf)

### **2.0 TRAINING REQUIREMENTS**

Section 1.3.1 of the IMDG Code requires that shore-based personnel<sup>2</sup> engaged in the transport of dangerous goods intended to be transported by sea must be provided with:

***“training in the contents of dangerous goods provisions commensurate with their responsibilities.”***

As the purpose of the training will be to provide practical guidance and instruction on how individuals can fulfil the obligations imposed by the roles they fill in the work place, the training process must incorporate some means of determining if staff are competent in their allocated roles.

The system adopted in Australia will follow the requirements of the IMDG Code and as such it will be the employer's<sup>3</sup> responsibility to determine:

- Those personnel that need to be trained;
- The degree of training they require; and
- The method of training they use to enable them to comply with the provisions of the IMDG Code.

This being said the Australian Maritime Safety Authority (AMSA) will have the ability to audit compliance with the training requirements and will require training for some specific roles to be accredited<sup>4</sup> by AMSA.

#### **2.1 Who needs to be trained?**

The list of those shore-based personnel that require training is quite extensive but it should be recognised that the scope of training for individual roles varies. Employers can vary the level of training provided to suit the role of individuals and may be able to utilise training that has been provided for other modes, or under OH&S requirements in the work place.

Section 1.3.1.2 of the IMDG Code identifies those shore-based personnel, who are engaged in the transport of dangerous goods “intended to be transported by sea”, that **must** receive the training required by the IMDG Code. These are those that:

- classify dangerous goods and identify Proper Shipping Names of dangerous goods;
- pack dangerous goods;
- mark, label or placard dangerous goods;
- load/unload Cargo Transport Units;
- prepare transport documents for dangerous goods;
- offer dangerous goods for transport;
- accept dangerous goods for transport;
- handle dangerous goods in transport;
- prepare dangerous goods loading/stowage plans;
- load/unload dangerous goods into/from ships;
- carry dangerous goods in transport;
- enforce or survey or inspect for compliance with applicable rules and regulations; or
- are otherwise involved in the transport of dangerous goods as determined by the competent authority<sup>5</sup>.

## 2.2 What training is required?

Chapter 1.3 of the IMDG Code establishes three levels of training for the shore-based personnel identified in section 2.1. Not all of these levels are mandatory:

- Safety training.(recommended).
- General awareness/familiarisation (mandatory); and
- Function-specific training (mandatory).

In regard to Safety Training, the content of this training is consistent with that which should be provided as part of normal OH&S training<sup>6</sup> required under state workplace regulation. On this basis, AMSA will not require any additional regulatory requirements for this level of training.

The specific requirements of what is to be included in General Awareness and Function-specific training are detailed in section 3.0 of the “Advice for Training

Providers” paper. For General Awareness training it is possible this may be covered by training provided for other modes or OH&S training. If this is the case AMSA would not require that such training be duplicated and may accept alternatives. How this process would work is also detailed in section 3.0 of the “Advice for Training Providers” paper.

For Function-specific training, advice on the training requirements are provided in table 1.3.1.6. AMSA would normally expect that Function-specific training would follow this matrix but recognises that some elements are not subject to AMSA jurisdiction (see blue shaded section on the table overleaf) and these elements would not be enforced by AMSA<sup>7</sup>.

In addition, for Function-specific training there are three distinct roles where the individuals will require training that has been specifically “accepted” by AMSA. This requirement applies to those responsible for:

1. Packing of dangerous goods, **[including those that load and unload Cargo Transport Units]**;
2. Marking, labelling or placarding of dangerous goods; and
3. Preparing and signing transport documentation (shipper and container packing declarations).

## 2.3 FREQUENCY OF TRAINING

Section 1.3.1 of the IMDG Code requires that training shall be provided, or verified, upon employment to a position involving dangerous goods transport (as identified in section 2.1 above).

However, where new staff are employed, and have not been trained as required, it does not necessarily mean that they cannot work. The employer must ensure that those personnel may only perform functions under the **direct** supervision of a trained person. This relaxation is not ongoing and such personnel should be trained as soon as practical. It would be normal that the maximum reasonable period would be eight weeks<sup>8</sup>. This relaxation does not apply to those that prepare and sign transport documentations (who are required to have AMSA “accepted”<sup>9</sup> training) given the responsibilities of these roles.

<sup>5</sup>The Manager – Ships Inspections (AMSA) is the Competent Authority with respect to the transport of packaged and bulk dangerous goods by sea.

<sup>6</sup>Noting also that the critical elements with respect to dangerous goods will be addressed by general awareness training.

<sup>7</sup>They will, however, be subject to State jurisdiction and may be enforced under their regulation.

<sup>8</sup>It is noted that this could be effected by course delivery timetables.

<sup>9</sup>As identified in section 2.2, namely those responsible for Packing of dangerous goods, Marking, labelling or placarding of dangerous goods; and preparing and signing transport documentation (shipper and container packing declarations).

Safe handling procedures			x		x				x		x	x	
First Aid measures			x		x	x	x	x	x		x	x	
Emergency Response procedures			x		x	x	x	x	x	x	x	x	
Guidelines for packing of CTU					x		x	x			x	x	
CSC					x		x	x	x		x	x	
National Transport Regulation							x	x	x		x	x	
Port by laws							x	x	x	x	x	x	
SOLAS CHAPTER ii-2/19							x			x		x	
Function	IMDG Code part / section	7.9	x	x			x	x	x		x		x
		7.8	x	x			x	x	x		x		x
		7.7		x		x		x	x		x		x
		7.6				x		x	x		x		x
		7.5				x		x	x		x		x
		7.4				x		x	x		x		x
		7.3						x	x		x		x
		7.2		x		x		x	x		x		x
		7.1				x		x	x		x		x
		6*				x				x			x
		6		x				x	x				
		5	x	x	x	x	x			x	x		x
		4		x		x							
		3	x	x	x	x	x						
		2.0		x	x	x	x						
2	x					x	x			x			
1	x	x		x	x	x	x	x	x	x	x		
1	Classify												
2	Pack in packages												
3	Mark, label, placard												
4	Load/Unload cargo transport units												
5	Prepare transport documents												
6	Offer for transport												
7	Accept for transport												
8	Handle in transport												
9	Prepare loading/stowage plans												
10	Load/Unload from ships												
11	Carry												

Elements not subject to AMSA jurisdiction

\*Only sections 6.1.2, 6.1.3, 6.5.2, 6.6.3, 6.7.3.16 and 6.7.4.15 apply.

Training is to be periodically supplemented with refresher training to comply with section 1.3.1 of the IMDG Code in order to take account of changes in regulations and practice as follows:

Training Level	Frequency of Refresher Training
General Awareness Training	Periodic refresher training is not required.
Function-specific Training	The need for periodic refresher training <b>is to be assessed by the employer with respect to individual roles prior to the ‘current’ edition of the IMDG Code being superseded.</b> Evidence of this assessment should be available. The period between periodic refresher training for any role cannot exceed 36 months.
Function-specific Training subject to AMSA acceptance.	Periodic refresher training is to be conducted prior to the ‘current’ edition of the IMDG Code being superseded. This would nominally be a period not exceeding 24 months but cannot exceed 36 months <sup>10</sup> .

## 2.4 TRANSFER OF QUALIFICATIONS

As suggested by section 1.3.1 of the IMDG Code training can be transferred from workplace to workplace but must be subject to verification by the new employer.

In these circumstances the new employer would be expected to determine that the training already received is consistent with the role the individual will undertake and ensure their training records have been updated to reflect this.

## 2.5 TRAINING RECORDS

Section 1.3.1.3 of the IMDG Code requires that details of all the training undertaken shall be kept by both the employer and the employee. These training records are to be made available to the Competent Authority<sup>11</sup> if, or when, requested.

These records must contain sufficient information about the training provided that would allow the Competent Authority, or other relevant stakeholders, to determine that the individual has received the training appropriate to their role.

Where the individual is one of those that require AMSA “accepted” training, the records must also contain evidence that the actual course undertaken is one that has been accepted by AMSA for this purpose.

## 2.6 VERIFICATION AUDITS

Section 1.3.1 of the IMDG Code and inspection powers provided by provision 10 of Marine Orders Part 41 (MO41) gives AMSA surveyors’ the ability to audit an organisation to verify that:

- an effective training system is in place which provides training of staff commensurate with their role and responsibilities in the transport chain;
- the trainings system includes an assessment mechanism to determine if those trained have the necessary competency to fulfil their roles; and
- all relevant staff have the training required by chapter 1.3 of the IMDG Code.

Such audits will also verify that those required to have AMSA “accepted” training are so trained. Where personnel are not appropriately trained it would be normal that a direction be issued under provision 10.3 of MO41 to require rectification.

The use of untrained or inappropriately trained personnel to prepare a shipment would be a breach of the requirements of the IMDG Code and could result in shipments being prohibited from loading.

It is envisaged that audits of organisations will take place as part of AMSA’s ongoing dangerous goods compliance programme.

<sup>10</sup>The maximum period from the adoption of the IMDG Code into transition effect until it is superseded,

<sup>11</sup>Where an AMSA surveyor is conducting an audit of compliance with training requirements copies of the training records are to be made available to them by virtue of the fact they are a representative of the Competent Authority and the powers provided by provision 10 of Marine Orders Part 41.