

MARINE NOTICE

**Marine Notice 20/2008
Supersedes 18/2006**

Amendments to Marine Orders Part 41 and the International Maritime Dangerous Goods Code

The purpose of this Marine Notice is to introduce:

- the forthcoming International Maritime Dangerous Goods (IMDG) Code, 2008 Edition, incorporating Amendment 34-08;
- significant Amendments of the 2008 Edition; and
- subsequent amendments of Marine Orders Part 41 (MO 41).

This information is for ship operators, crews and all other persons involved in the preparation, handling, packing, placarding and stowage or transportation by sea of dangerous goods.

Every two years the International Maritime Organization (IMO) publishes a new amendment of the IMDG Code, incorporating changes approved by the Maritime Safety Committee (MSC). Each amendment is mandatory for two years and commences on the 1st January of each even numbered year. One year prior to this mandatory introduction, the IMO invites member Governments to introduce the amended Code on a voluntary basis. During this transitional period either Edition of the Code may be used.

Amendment 34-08 to the IMDG Code was adopted by the MSC at its 84th session in May 2008 via MSC Resolution 262 (84) *Adoption Of Amendments To The International Maritime Dangerous Goods (IMDG) Code*.

Users of the Code should also be aware that any "Errata and Corrigenda" to the Amendment of the Code will be available via the internet from the IMO website at: www.imo.org

Chapter VII of the International Convention for the Safety Of Life At Sea (SOLAS) 1974, as amended, requires mandatory adherence to the Code and is given effect in Australia by MO 41. MO 41 can be obtained from the AMSA website at: www.amsa.gov.au

From 1 January 2009 to 31 December 2009, MO 41 permits the use of the 2006 and 2008 Editions of the Code. From 1 January 2010, the 2006 Edition will be invalid and only the 2008 Edition will apply.

Significant amendments of the 2008 Edition include:

- (a) Mandatory training requirements for all shore based personnel who deal with dangerous goods;
- (b) General provisions concerning Class 7 (radioactive materials) dangerous goods; and
- (c) Dangerous goods packed in excepted quantities.

Mandatory training requirements

The 2008 Edition of the Code includes revised mandatory training requirements of all shore-based personnel dealing with dangerous goods and may include, and are not limited to, shore-based personnel who:

- Classify dangerous goods and identify the Proper Shipping Names of dangerous goods or prepare transport documents for dangerous goods;
- Pack, mark, label or placard dangerous goods, or load or unload Cargo Transport Units;
- Offer or accept dangerous goods for transport;



- Prepare dangerous goods loading or unloading plans, load or unload dangerous goods into or from ships, handle dangerous goods in transport, or carry dangerous goods in transport;
- Enforce or survey or inspect for compliance with regulations; or
- Are otherwise involved in the transport of dangerous goods as determined by the Competent Authority.

The IMDG Code provides for national authorities such as AMSA to verify the effectiveness of the system of training in place and inspect training records by audit of companies working under the Code. During 2009 AMSA will be considering, in consultation with industry stakeholders, what further amendments to Marine Orders Part 41 may be required to ensure training obligations are met.

Shore-based management should familiarise themselves with the guidance on training requirements found in Chapter 1.3 of the Code and in particular the guidance provided with the training matrix contained in 1.3.1.6, and take measures to ensure these obligations are being fulfilled.

General provisions concerning Class 7 (radioactive materials) dangerous goods

The 2008 Edition of the Code establishes new general provisions concerning Class 7 dangerous goods. These standards of safety are consistent with those contained within the IAEA Regulations for the Safe Transport of Radioactive Material (2005 Edition).

Dangerous goods packed in excepted quantities

The 2008 Edition of the Code establishes new provisions for dangerous goods packed in excepted quantities. These provisions include a list of dangerous goods that may be carried in excepted quantities.

Interested parties are urged to review the 2008 Edition of the Code in the context of their particular involvement with dangerous goods, and to ensure that their operations remain in compliance with MO 41 and the Code requirements for training, packing, stowage, placarding, documentation and carriage of dangerous goods.

Persons responsible for accepting dangerous goods for consignment should only do so when they are

satisfied that the consignment and its associated documentation has been provided in accordance with the Code requirements.

Persons involved in the transport of dangerous goods at sea should be familiar with section 253 of the *Navigation Act 1912* which prescribes penalties for falsely describing dangerous goods, and also section 253A which prescribes penalties for the packing, stowage or carriage of dangerous goods contrary to the provisions in MO41.

Interested parties are reminded that the multimodal dangerous goods form is available from the AMSA website at www.amsa.gov.au

The 2008 Edition of the Code can be purchased directly from the IMO through their website www.imo.org The IMO website also provides a list of Australian distributors of IMO publications.

Graham Peachey
Chief Executive Officer
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Australian Maritime Safety Authority
GPO Box 2181
CANBERRA ACT 2601

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Internet address for all current Marine Notices:
www.amsa.gov.au