

	<p align="center">The Merchant Shipping (Dangerous Packaged Goods) Directive</p> <p align="center">To All Ship owners, Ship Managers, Ship Operators, Filing Agents and Ships' Crewing Agents</p>	Directive	02-2003
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		Reference	SOLAS 74 (as amended), Ch. VII

The Director of the Department of Marine Services and Merchant Shipping, in exercise of the powers conferred by Section 7, subsection (5) of the Merchant Shipping Act, 1998, and of all other powers enabling him in that behalf, hereby makes the following Directive:

Citation and commencement

1. (1) This directive may be cited as the Merchant Shipping (Dangerous Packaged Goods) Directive and shall come into force on 1st April 2003.

Interpretation

2. (1) In this Directive:

"Antigua and Barbuda ship" means a ship which is registered or licensed under the Antigua and Barbuda Merchant Shipping Act.

"Administration" means the Government of the State under whose flag the ship is entitled to fly. "dangerous packaged goods" means dangerous goods in packaged form as described in SOLAS 74, Chapter VI, Regulation 1 and Chapter VII, Regulations 1 and 2.

"company" means means the owner of a ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all duties and responsibilities imposed on the company by these regulations;

"IMO" means the International Maritime Organization;

"International voyage" means voyages worldwide;

"records" means all documents, checklists and Hazmat information issued by cargo shippers in connection with the cargoes carried;

"gross tons" (gt) means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex 1 to the International Convention on Tonnage Measurement of Ships, 1969 or any successor Convention

Application

3. (1) This Directive applies to -
- (a) all Antigua and Barbuda ships to which the present regulations apply and in cargo ships of less than 500gt operating on international voyages.
 - (b) all other ships less than 500gt operating in Antigua and Barbuda waters whilst on international voyages.
 - (c) domestic passenger vessels
- (2) This Directive does not apply to warships, government owned or operated ships used on government non-commercial activities. However, the Antigua and Barbuda Government requests that these ships should be aware of the requirements of this Directive.
- (3) Ships of less than 500gt of non-Parties to the SOLAS 74 Convention shall be required to comply with the requirements of this Directive whilst in Antigua and Barbuda waters.

Cargo Information

General

4. (1) It is prohibited for any ship to carry packaged dangerous goods without the full details of the dangers of the cargo, its classification, stowage position and/or methods of disposal in the event of an accident being on board.
- (2) Cargo shippers are required to give the master of the ship full information on the cargo to be carried before the cargo is loaded.
- (3) Copies of the cargo information shall be kept on board and be produced when asked for by Port State Control Inspectors.
- (4) The information should contain as a minimum for general cargo and/or cargo units:
- (a) a general description of the cargo, the gross mass of the cargo and any relevant special properties of the cargo.
 - (b) the requirements of paragraph 1.9 of the Code of Safe Practice for Cargo Stowage and Securing
 - (c) prior to loading cargo units on board ship, the shipper shall ensure that the gross mass of such units is in accordance with the gross mass declared on the shipping documents.

Carriage of Dangerous Goods in Packaged Form

5. (1) Part A of Chapter VII of SOLAS 74, the carriage of dangerous goods in packaged form, regulation 1 to 7 must be complied with by Antigua and Barbuda flagged ships. See Annex 1.
- (2) In particular, regulations 1 requires that dangerous goods carried in packaged form shall be classified as stated in regulation 2.
- (3) Dangerous goods shall be safely packaged and stowed to ensure that all precautions necessary in relation to other cargo are complied with. The International Maritime Dangerous Goods Code (IMDG) gives detailed instructions that shall be complied with.
- (4) All packaged dangerous goods shall be clearly marked with the correct technical name, distinctive labels giving clear indication of the dangerous properties of the goods contained within.
- (5) The documents accompanying the dangerous packaged goods shall have a signed declaration or certificate ensuring that the goods are packaged and labelled correctly and in a proper condition for carriage.
- (6) Stowage requirements for packaged dangerous goods shall be clear as to the segregation, stowage position and any other precautions.

Stowage and Securing

6. (1) Cargo units carried on or under deck shall be so loaded, stowed and secured as to prevent as far as is practicable, throughout the voyage, damage or hazard to the ship and the persons on board, and loss of cargo overboard.
- (2) Cargo carried in cargo units shall be so packed and secured within the unit as to prevent, throughout the voyage, damage or hazard to the ship and the persons on board.
- (3) Appropriate precautions shall be taken during loading and transport of heavy cargoes or cargoes with abnormal physical dimensions to ensure that no structural damage to the ship occurs and to maintain adequate stability throughout the voyage.
- (4) Appropriate precautions shall be taken during loading and transport of cargo units on board ro-ro ships, especially with regard to the securing arrangements on board such ships and on the cargo units and with regard to the strength of the securing points and lashings.
- (5) Containers shall not be loaded to more than the maximum gross weight indicated on the Safety Approved Plate under the International Convention for Safe Containers.
- (6) Cargo units, including containers, shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual approved by the

Administration or the guidelines in the Code of Safe Practice for Cargo Stowage and Securing, as amended. In ships with ro-ro cargo spaces, as defined in regulation II-2/3. 14 of SOLAS 74, all securing of cargo units, in accordance with the Cargo Securing Manual or the guidelines in the Code of Safe Practice for Cargo Stowage and Securing, as amended, shall be completed before the ship leaves the berth. The Cargo Securing Manual shall be drawn up to a standard at least equivalent to the guidelines developed by the International Maritime Organization.

Code of Safe Practice for Cargo Stowage and Securing

7. (1) Every Antigua and Barbuda ship, registered under the Caribbean Cargo Ship Safety Code shall carry a copy of the Code of Safe Practice for Cargo Stowage and Securing, as amended.

Cargo Securing Manual

8. (1) Every other Antigua and Barbuda registered ship shall carry an approved Cargo Securing Manual.

Signed by the authority of the Director of the Department of Marine Services and Merchant Shipping.

Annex 1

SOLAS 74, Chapter VII

Part A, Carriage of Dangerous Goods in Packaged Form or in Solid Form in Bulk*

Regulation 1

Application

- 1 Unless expressly provided otherwise, this part applies to dangerous goods classified under regulation 2 which are carried in packaged form or in solid form in bulk (herein after referred to as "dangerous goods"), in all ships to which the present regulations apply and in cargo ships of less than 500 gt.
- 2 The provisions of this part do not apply to ships' stores and equipment.
- 3 The carriage of dangerous goods is prohibited except in accordance with the provisions of this part. In addition, the requirements of part D shall apply to the carriage of INF cargoes as defined in regulation 14.2.
- 4 To supplement the provisions of this part, each Contracting Government shall issue, or caused to be issued, detailed instructions on safe packaging and stowage of dangerous goods which shall include the precautions necessary in relation to other cargo**.

* Refer to MSC/Circ. 559, *Form for reporting incidents involving dangerous goods and marine pollutants in packaged form on board ships and in port areas.*

** Refer to the *International Maritime Dangerous Goods Code (IMDG Code)*, adopted by the Organization by resolution A.716(17), and to the relevant sections and related parts of appendix B of the *Code of Safe Practice for Solid Bulk Cargoes (BC Code)*, adopted by the Organization by resolution A.434(XI), as may be amended by the Maritime Safety Committee.

Regulation 2

Classification

Dangerous goods shall be divided into the following classes:

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|---------|--|
| Class 1 | Explosives |
| Class 2 | Gases; compressed, Liquefied or dissolved under pressure |
| Class 3 | Flammable* liquids |

- Class 4.1 Flammable* solids
- Class 4.2 Substances liable to spontaneous combustion
- Class 4.3 Substances which, in contact with water, emit flammable gases
- Class 5.1 Oxidizing substances
- Class 5.2 Organic peroxides
- Class 6.1 Toxic substances
- Class 6.2 Infectious substances
- Class 7 Radioactive materials
- Class 8 Corrosives
- Class 9 Miscellaneous dangerous substances and articles, i.e. any other substance which experience has shown, or may show, to be of such a dangerous character that the provisions of this part shall apply to it.

* *Flammable has the same meaning as Inflammable.*

Regulation 3

Packaging

- 1 The packaging of dangerous goods shall be:
 - .1 well made and in good condition;
 - .2 of such a character that any interior surface with which the contents may come in contact is not dangerously affected by the substance being conveyed; and
 - .3 capable of withstanding the ordinary risks of handling and carriage by sea.

- 2 Where the use of absorbent or cushioning material is customary in the packaging of liquids in receptacles, that material shall be:
 - .1 capable of minimizing the dangers to which the liquid may give rise;
 - .2 so disposed as to prevent movement and ensure that the receptacle remains surrounded; and
 - .3 where reasonably possible, of sufficient quantity to absorb the liquid in the event of breakage of the receptacle.

- 3 Receptacles containing dangerous liquids shall have an ullage at the filling temperature sufficient to allow for the highest temperature during the course of normal carriage.
- 4 Cylinders or receptacles for gases under pressure shall be adequately constructed, tested, maintained and correctly filled.
- 5 Empty uncleaned receptacles which have been used previously for the carriage of dangerous goods shall be subject to the provisions of this part for filled receptacles, unless adequate measures have been taken to nullify any hazard.

Regulation 4

Marking, labelling and placarding

- 1 Packages containing dangerous goods shall be durably marked with the correct technical name; trade names alone shall not be used.
- 2 Packages containing dangerous goods shall be provided with distinctive labels or stencils of the labels, or placards, as appropriate, so as to make clear the dangerous properties of the goods contained therein.
- 3 The method of marking the correct technical name and of affixing labels or applying stencils of labels, or of fixing placards on packages containing dangerous goods, shall be such that this information will still be identifiable on packages surviving at least three months immersion in the sea. In considering suitable marking, labelling and placarding methods, account shall be taken of the durability of the materials used and of the surface of the package.
- 4 Packages containing dangerous goods shall be so marked and labelled except that:
 - .1 packages containing dangerous goods of a low degree of hazard or packed in limited quantities;*
 - or
 - .2 when special circumstances permit, packages that are stowed and handled in units that are identified by labels or placards, may be exempted from labelling requirements.

* *Refer to the specific exemptions provided for in the IMDG Code*

Regulation 5

Documents

- 1 In all documents relating to the carriage of dangerous goods by sea where the goods are named, the correct technical name of the goods shall be used (trade names alone shall not be used) and the correct description given in accordance with the classification set out in regulation 2.
- 2 The shipping documents prepared by the shipper shall include, or be accompanied by, a

signed certificate or declaration that the shipment offered for carriage is properly packaged and marked, labeled or placarded, as appropriate, and in proper condition for carriage.

- 3 The persons responsible for the packing of dangerous goods in a freight container or road vehicle shall provide a signed container packing certificate or vehicle packing declaration stating that the cargo in the unit has been properly packed and secured and that all applicable transport requirements have been met. Such a certificate or declaration may be combined with the document referred to in paragraph 2.
- 4 Where there is due cause to suspect that a freight container or road vehicle in which dangerous goods are packed is not in compliance with the requirements of paragraph 2 or 3, or where a container packing certificate or vehicle packing declaration is not available, the freight container or vehicle shall not be accepted for shipment.
- 5 Each ship carrying dangerous goods shall have a special list or manifest setting forth, in accordance with the classification set out in regulation 2, the dangerous goods on board and the location thereof. A detailed stowage plan, which identifies by class and sets out the location of all dangerous goods on board, may be used in place of such a special list or manifest. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State Authority.
- 6 Cargo transport units, including freight containers, shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual approved by the Administration or by the guidelines in the Code of Safe Practice for Cargo Stowage and Securing, as amended. The Cargo Securing Manual shall be drawn up to a standard at least equivalent to the guidelines developed by the Organization.*

** Refer to MSC/Circ. 385 on the Cargo Securing Manual and MSC/Circ. 745 on guidelines for the preparation of the Cargo Securing Manual.*

Regulation 6

Stowage Requirements

- 1 Dangerous goods shall be loaded, stowed and secured safely and appropriately in accordance with the nature of the goods. Incompatible goods shall be segregated from one another.
- 2 Explosives (except ammunition) which present a serious risk shall be stowed in a magazine which shall be kept securely closed while at sea. Such explosives shall be segregated from detonators. Electrical apparatus and cables in any compartment in which explosives are carried shall be so designed and used as to minimize the risk of fire or explosion.
- 3 Dangerous goods in packaged form which give off dangerous vapours shall be stowed in a mechanically ventilated space or on deck. Dangerous goods in solid form in bulk which give off dangerous vapours shall be stowed in a well ventilated space.
- 4 In ships carrying flammable liquids or gases, special precautions shall be taken where necessary against fire or explosion.

- 5 Substances which are liable to spontaneous heating or combustion shall not be carried unless adequate precautions have been taken to minimize the likelihood of the outbreak of fire.

Regulation 7

*Explosives in passenger ships**

- 1 Explosives in division 1.4, compatibility group S, may be carried in any amount in passenger ships. No other explosives may be carried except any one of the following:
- .1 explosive articles for life-saving purposes, if the total net explosives mass of such articles does not exceed 50 kg per ship; or
 - .2 explosives in compatibility groups C, D and E, if the total net explosives mass does not exceed 10 kg per ship; or
 - .3 explosive articles in compatibility group G other than those requiring special stowage, if the total net explosives mass does not exceed 10 kg per ship; or
 - .4 explosive articles in compatibility group B, if the total net explosives mass does not exceed 5 kg per ship.
 - .5 articles in compatibility group N shall only be allowed in passenger ships if the total net explosives mass does not exceed 50 kg per ship and no other explosives, apart from division 1.4 compatibility group S, are carried.

* *Refer to class 1 of the IMDG Code*

Regulation 7-1

Reporting of incidents involving dangerous goods

- 1 When an incident takes place involving the loss or likely loss overboard of packaged dangerous goods into the sea, the master, or other person having charge of the ship, shall report the particulars of such an incident without delay and to the fullest extent possible to the nearest coastal State. The report shall be based on the guidelines and general principles adopted by the Organization:*
- 2 In the event of the ship referred to in paragraph 1 being abandoned, or in the event of a report from such a ship being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or their agents shall, to the fullest extent possible, assume the obligations placed upon the master by this regulation.

* *Refer to the General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances*

and/or marine pollutants adopted by the Organization by resolution A.851(20).