



Maritime and Coastguard Agency

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## **IMPLEMENTATION OF THE REVISION OF ANNEX II OF MARPOL 73/78 AND THE INTERNATIONAL CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING DANGEROUS CHEMICALS IN BULK IBC CODE. TRANSITIONAL ARRANGEMENTS CONCERNING SHIP OPERATION AND CERTIFICATION**

**Notice to all Ship Owners, Ship Managers, Certifying Authorities, Masters and Ships Officers**

*This note expires on: 1<sup>st</sup> February 2007*

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### **Summary**

The purpose of this Marine Information Note is to draw the attention of the Shipping Industry to new international requirements effective 1 January 2007 concerning a total revision of Annex II of MARPOL 73/78 and the IBC Code and the introduction of new UK legislation to enact the above. It is also to advise the industry of the MCA's policy with regard to transitional arrangements for vessel certificates issued between the 1 August 2006 and 1 January 2007

### **Introduction/ Background**

1. The International Convention for the Prevention of Pollution from Ships 1973 including its Protocols as amended by the Protocol of 1978 (MARPOL 73/78) contains in its Annex II (as amended) Regulations for the Control of Pollution of Noxious Liquid Substances in Bulk. Annex II is enacted in UK legislation by the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996, SI 3010/1996 as amended by SI 1153/1998, SI 930/2004 and accompanying Merchant Shipping Notice MSN 1703/NLS.1.

2. The International Maritime Organization (IMO), in view of amendments and the re-categorisation of chemical substances, has revised Annex II of MARPOL as detailed in IMO Resolution MEPC 118(52). In addition, the existing IBC Code, due to the re-categorisation of the chemicals, has itself been amended as detailed in IMO Resolution MSC 176(79). In order to incorporate the revised international requirements into United Kingdom legislation, the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996 SI No 3010/1996 and the accompanying Merchant Shipping Notice MSN 1703/NLS.1 will be revoked and replaced. Due to the re-categorisation of the chemicals from A, B, C and D to X, Y and Z and the revaluation of the chemicals carried by sea; the Certificates of Fitness, Noxious Liquid Substance Certification and the Procedures and Arrangements (P&A) Manual will have to be amended prior to 1 January 2007.

## Date of application

3. The revised Annex II and its amendments will enter into force on 1 January 2007. It is also the intention of IMO that the new IBC Code will enter into force on the same date. The MCA intends that the UK Legislation to enact the revised Annex II and the revised IBC Code will also enter into force before 1 January 2007.

## Transitional arrangements concerning ship certificates and vessel operation

4. In view of the fact that the existing MARPOL Annex II and the current chemical lists in Chapters 17 and 18 of the existing IBC Code will cease to exist on 1 January 2007, certificates issued covering their carriage requirements will no longer be valid after that date. To ensure that vessels requiring certification under the revised Annex II of MARPOL can continue to trade after 1 January 2007, the IMO has agreed transitional arrangements allowing for new certificates conforming to the revised MARPOL Annex II and the revised Chapters 17 and 18 of the IBC Code to be issued. The arrangements will be as follows.

5. When a cargo is loaded prior to the entry into force date and unloaded after the entry into force date of the revised Annex II of MARPOL 73/78, the classification of the cargo at the time of loading should remain legal until it has been unloaded and consequential requirements have been met.

Noting the concerns identified in relation to certificates, it was agreed to the approach set out below:-

Type of concern	Action existing certificate	Action certificate revised MARPOL Annex II
Certificate valid until after 1 January 2007	Issue a certificate under the revised MARPOL Annex II starting as from 1 January 2007 with an identical expiry date as the existing certificate	
Renewal survey on or after 1 August 2006	Extend the validity of the existing certificate to 1 January 2007	Issue a new certificate under the revised MARPOL Annex II with an expiry date of 5 years after the survey date.
Change of Flag on or after 1 August 2006	Replace the coversheet of the current certificate with an extension of the validity to 1 January 2007	Issue a new certificate under the revised MARPOL Annex II with an expiry date of 5 years after the renewal survey date.
Delivery of a new Building (e.g. 1 August 2006)	Issue a short term certificate under the current MARPOL Annex II valid until 1 January 2007	Issue a full term certificate valid for 5 years after the initial survey

## Vessel Operation and Certifying Authorities

6. From 1 January 2007, the following vessels will require new certification and an updated P&A Manual:-

- a) Chemical Tankers - when carrying dangerous chemicals and noxious liquid substances listed in chapter 17 of the amended IBC Code on the basis of their safety characteristics and identified as such by an entry of S or S/P.
- b) Oil Tankers - when carrying noxious liquid substances listed in chapter 18 of the amended IBC Code.
- c) Offshore Support Vessels - when carrying noxious liquid substances in accordance with paragraph 1.2.2 and listed in Appendix 1 of IMO Resolution A.637(17) Guidelines for the Transport and Handling of Limited amounts of Hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels, as amended.

7. Owners of vessels carrying noxious liquid substances in bulk should contact the organisation that issued their current Certification and approved their P&A Manual to arrange for new certification and an amended P&A Manual. The following is a list of organisations that may be authorised to issue certification and approve the P&A Manuals:

Lloyd's Register of Shipping  
The British Committee of Bureau Veritas  
The British Committee of Germanischer Lloyd  
The British Committee of Det Norske Veritas  
The British Technical Committee of American Bureau of Shipping  
The British Technical Committee of Registro Italiano Navale

8. Owners of vessels that currently have Maritime and Coastguard Agency Certification and an approved P&A Manual should contact their Customer Service Manager to arrange for new certification and approve amendments to the P&A manual.

9. Copies of the revised Annex II of MARPOL 73/78 and the amended IBC Code can be found on the MCA's website under [http://www.mcga.gov.uk/c4mca/mcga-environmental/mcga-dqs\\_qual\\_eq\\_environmental\\_quality/ds-annex2.htm](http://www.mcga.gov.uk/c4mca/mcga-environmental/mcga-dqs_qual_eq_environmental_quality/ds-annex2.htm)

## Further Information

Further information on the contents of this Notice can be obtained from

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MCA Website Address: [www.mcga.gov.uk](http://www.mcga.gov.uk)

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