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## Amendments to the Regulations on the carriage of cargoes on Norwegian ships and barges due to amendments to the IMSBC Code

### Introduction

The Norwegian Maritime Authority has laid down amendments to the Regulations of 1 July 2014 No. 945 on the carriage of cargoes on Norwegian ships and barges. The regulatory amendments implement IMO Resolution MSC.462(101), including amendments to the IMSBC Code. The amendments affect shipping companies and operators involved in the carriage of solid cargoes in bulk (solid bulk cargoes). These amendments enter into force immediately.

### Background

The IMSBC Code has been implemented into Norwegian legislation by the Regulations on the carriage of cargoes on Norwegian ships and barges. The reference in section 2 first paragraph (b) of the Regulations gives the IMSBC Code status as a Norwegian Regulation.

In 2011, the IMSBC Code was made binding legislation under SOLAS chapter VI, cf. SOLAS regulation VI/1-2. The Code has since been amended five times according to a cycle where amendments are approved and adopted collectively every second year. The Code has been amended by MSC.318(89), MSC.354(92), MSC.393(95), MSC.426(98), and lastly by MSC.462(101).

When the IMSBC Code has been implemented by a reference in the Regulations on the carriage of cargoes on Norwegian ships and barges, this is updated by the inclusion in the Regulations of resolutions amending the Code.

The IMO Member States determined that the amendments arising from MSC.462(101) would enter into force on 1 January 2021. By mistake, this amending resolution has not yet been implemented in Norwegian legislation. By incorporating the amending resolution into section 2 of the Regulations on the carriage of cargoes on Norwegian ships and barges, Norwegian legislation will be updated in line with international law in this area.

### No circulation for review

As mentioned above, the IMSBC Code is made binding pursuant to SOLAS, with which Norway is committed to comply. The amendments have been negotiated and adopted by the IMO Member States and became mandatory on 1 January 2021. During the IMO process, Norway endorsed the amendments. This means that Norway is committed to implement the amendments unchanged in Norwegian legislation. Since the amendments have been internationally applicable for a considerable period of time, the amendments

are already known to the industry. Therefore, the Norwegian Maritime Authority considers it "unnecessary for obvious reasons" to circulate the amendment for review, cf. section 3-3 second paragraph of the Instructions for Official Studies and Reports.

### **The amendments in brief**

The amendments are done as part of a step-by-step update of the Code due to the development of the industry, new technological knowledge, and as a part of the harmonisation of the legislation for carriage of solid bulk cargoes on land and at sea.

The amendments arising from MSC.462(101) have, as mentioned, been internationally applicable since 1 January 2021 and it is safe to assume that the industry is familiar with these amendments. In brief:

- New carriage requirements have been added for five new cargoes of group B.
- The "Characteristics" table have been replaced for each individual cargo schedule to clarify the hazard classification of the cargo.
- The existing individual schedule for "SEED CAKE (non-hazardous)" is deleted.
- A group A cargo schedule for bauxite fines and a corresponding test procedure for determining transportable moisture limit (TML) has been added.

### **Administrative and financial implications**

The amendments are expected to improve safety when carrying solid cargoes in bulks on board ships, and to reduce the potential for disputes between owners, shippers and charterers.

The amendments may call for some modifications and upgrades required to carry certain cargoes in bulk on ships. The amendments to the IMSBC Code have been negotiated in the IMO, where the interests of the various parties have been taken into consideration. The amendments are therefore considered cost-effective and necessary for health, environment and safety.

Beyond the costs of implementing the necessary amendment to the Regulations on the carriage of cargoes on Norwegian ships and barges, the amendments to the IMSBC Code will not have further direct financial implications for the authorities.

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Attachments:

Regulation concerning amendments to the Regulations of Regulations of 1 July 2014 No. 945 No. 945 on the carriage of cargoes on Norwegian ships and barges.