Order No. 3 of 2007

Pursuant to Subsection 425(1AA) of the Navigation Act 1912, I hereby make this Order amending Marine Orders, Part 17, Issue 6, in the manner set out herein, to come into operation on 18 May 2007.

Clive Davidson
Chief Executive Officer
30 April 2007
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1 Purpose & power

1.1 Purpose

This Order amends Part 17 of Marine Orders, which:

(a) gives effect to Parts B and C of Chapter VII of SOLAS, dealing with the construction and equipment of ships carrying dangerous liquid chemicals and liquefied gases in bulk;¹

(b) gives effect to requirements for minimising accidental pollution; and

(c) makes provision generally for and in relation to the loading, stowing and carriage in ships of dangerous liquid chemicals and liquefied gases.

1.2 Power

1.2.1 Section 191 of the Navigation Act provides for regulations to make provision for or in relation to giving effect to SOLAS.

1.2.2 Section 267P of the Navigation Act makes provision for and in relation to giving effect to Regulation 11 of Annex II to MARPOL.

1.2.3 Section 257 of the Navigation Act provides that the regulations may make provision for and in relation to the loading, stowing and carriage of cargo in ships.

1.2.4 Subsection 425(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

1.2.5 Subsection 425(1AA) of the Navigation Act provides that AMSA may make orders with respect to any matter for or in relation to which provision may be made by regulation.

2 Definitions of words and phrases used in this Part

AMSA means the Australian Maritime Safety Authority established by the Australian Maritime Safety Authority Act 1990;

MARPOL means the Convention as defined in the Protection of the Sea (Prevention of Pollution from Ships) Act 1983;

¹ The current text of Chapter VII is to be found in the SOLAS Consolidated Edition 2004, amended by IMO Resolution MSC.170(79).
Navigation Act means the Navigation Act 1912;

SOLAS means the Safety Convention as defined in the Navigation Act.

3 Amendment of provisions

3.1 In Provision 1.1(b), omit “13”; substitute “11”.

3.2 In Provision 1.2.2, omit “13”; substitute “11”.

3.3 In Provision 2, omit the definition of “BCH Code”; substitute the following definition:

“BCH Code means the IMO Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by IMO Resolution MSC.9(53), as amended by IMO Resolutions MSC.15(57), MSC.18(58), MSC.29(61), MSC.51(66), MSC.106(73), MSC.181(79) and MSC.212(81);”

3.4 In Provision 2, omit the definition of “IBC Code”; substitute the following definition:

“IBC Code means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, the consolidated text of which was adopted by IMO Resolution MSC.176(79);”

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