EXPLANATORY NOTES
Marine Orders Part 17
(Liquefied gas carriers and chemical tankers)
Issue 6 - Amendment
Order No 3 of 2007

Purpose

1. Marine Orders Part 17:
   - gives effect to Part B (construction and equipment of ships carrying
dangerous liquid chemicals in bulk) and Part C (construction and equipment
of ships carrying liquefied gases in bulk) of Chapter VII (carriage of dangerous
goods) of the International Convention for the Safety of Life at Sea (SOLAS)
1974, as amended;
   - gives effect to the International Convention for the Prevention of Pollution
from Ships, 1973, as modified by the Protocol of 1978 relating thereto,
(MARPOL 73/78) Annex II Regulation 11 (requirements for minimizing
accidental pollution);
   - makes provision generally for and in relation to the loading, stowing and
 carriage in ships of dangerous liquid chemicals and liquefied gases.

2. Marine Orders Part 17, Issue 6 – Amendment, Order No 3 of 2007, amends Marine
Orders Part 17 to give effect to:
   - amendments to the BCH Code adopted by the Maritime Safety Committee of
the IMO; and
   - consequential amendments to the Navigation Act 1912 as a result of the
renumbering of relevant regulations of Annex II of MARPOL,
and the amendment comes into operation on 18 May 2007.

Power

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

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

5. 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.

6. Subsection 425(1) of the Navigation Act empowers the Governor-General to make
regulations necessary or convenient for carrying out or giving effect to the
Navigation Act.

7. Subsection 425 (1AA) of the Navigation Act allows the Australian Maritime Safety
Authority to make orders with respect to any matter in the Navigation Act for or in
relation to which provision may be made by regulations.

8. Marine Orders Part 17, Issue 6 – Amendment, Order No 3 of 2007, was made
pursuant to subsection 425(1AA).
Consultation

9. A copy of the draft amendment of this issue was circulated for comments. The draft text was also placed on the AMSA web site for public comment.

Overview

10. The International Maritime Organization amendments to the BCH Code by Resolution MSC.212(81) mainly concern the number and type of chemical cargoes that can be carried on chemical carriers built before 1 July 1986. The revised Code also reflects the 2007 revision of MARPOL Annex II. The amendments adopted by the Maritime Safety Committee become effective on 1 August 2007 and align with the amendments made by the Marine Environment Protection Committee adopted by Resolution MEPC. 144(54). The definition of the BCH Code in Marine Orders Part 17 has therefore been updated by this amending order.

11. The opportunity has been taken to simply the definition of the IBC Code as the text of this Code has been consolidated by Resolution MSC. 176(79).

12. References to the relevant regulation of Annex II of MARPOL have also been updated to reflect consequential amendments to the Navigation Act 1912 resulting from the renumbering of Annex II.

Amendment of principal provisions

13. Provision 3.1 of this issue amends the principal order by omitting Regulation 13 and substituting with Regulation 11 in Provision 1.1(b).

14. Provision 3.2 of this issue amends the principal order by omitting Regulation 13 and substituting with Regulation 11 in Provision 1.2.2.

15. Provision 3.3 of this issue amends the principal order by omitting the definition of BCH Code in Provision 2 and substituting a new definition.

16. Provision 3.4 of this issue amends the principal order by omitting the definition of IBC Code in Provision 2 and substituting a new definition.

Documents incorporated by reference

17. The following documents have been incorporated by reference:

- International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended;
- International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978;
- IMO Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk as amended (BCH Code);
- International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code);
18. The above publication may be purchased from the International Maritime Organization (IMO), 4 Albert Embankment, London SE1 7SR – telephone +44 (0)20 7735 7611 – facsimile +44 (0)20 7587 3210. – IMO web site: http://www.imo.org,

and Boat Books:

- 31 Albany Street, Crows Nest, NSW 2065 - telephone (02) 9439 1133;
- 214 St Kilda Road, St Kilda, Vic 3182 - telephone (03) 9525 3444;
- 109 Albert Street, Brisbane, QLD, 4000 -telephone (07) 3229 6427;

Australian Maritime Safety Authority
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