Chapter 1.1

General provisions

1.1.0 Introductory note

It should be noted that other international and national modal regulations exist and that those regulations may recognize all or part of the provisions of this Code. In addition, port authorities and other bodies and organizations should recognize the Code and may use it as a basis for their storage and handling bye-laws within loading and discharge areas.

1.1.1 Application and implementation of the Code

1.1.1.1 The provisions contained in this Code are applicable to all ships to which the International *Convention for the Safety of Life at Sea, 1974* (SOLAS), as amended, applies and which are carrying dangerous goods as defined in regulation 1 of part A of chapter VII of that Convention.

1.1.1.2 The provisions of regulation II-2/19 of that Convention apply to passenger ships and to cargo ships constructed on or after 1 July 2002.

For:

.1 a passenger ship constructed on or after 1 September 1984 but before 1 July 2002; or

.2 a cargo ship of 500 gross tons or over constructed on or after 1 September 1984 but before 1 July 2002; or

.3 a cargo ship of less than 500 gross tons constructed on or after 1 February 1992 but before 1 July 2002,

the requirements of regulation II-2/54 of SOLAS, as amended by resolutions MSC.1(XLV), MSC.6(48), MSC.13(57), MSC.22(59), MSC.24(60), MSC.27(61), MSC.31(63) and MSC.57(67), apply (see II-2/1.2).

For cargo ships of less than 500 gross tons constructed on or after 1 September 1984 and before 1 February 1992, it is recommended that Contracting Governments extend such application to these cargo ships as far as possible.

1.1.1.3 All ships, irrespective of type and size, carrying substances, materials or articles identified in this Code as marine pollutants are subject to the provisions of this Code.

1.1.1.4 In certain parts of this Code, a particular action is prescribed, but the responsibility for carrying out the action is not specifically assigned to any particular person. Such responsibility may vary according to the laws and customs of different countries and the international conventions into which these countries have entered. For the purpose of this Code, it is not necessary to make this assignment, but only to identify the action itself. It remains the prerogative of each Government to assign this responsibility.

1.1.1.5 Although this Code is legally treated as a mandatory instrument under chapter VII of SOLAS, as amended, the following provisions of the Code remain recommendatory:

.1 paragraph 1.1.1.8 (Notification of infringements);

.2 paragraphs 1.3.1.4 to 1.3.1.7 (Training);

.3 chapter 1.4 (Security provisions) except 1.4.1.1, which is mandatory;

.4 section 2.1.0 of chapter 2.1 (Class 1 – Explosives, Introductory notes);

.5 section 2.3.3 of chapter 2.3 (Determination of flashpoint);

.6 columns 15 and 17 of the Dangerous Goods List in chapter 3.2;

.7 the segregation flow chart and example in the annex to chapter 7.2;

.8 section 5.4.5 of chapter 5.4 (Multimodal Dangerous Goods Form), insofar as the layout of the form is concerned;

.9 chapter 7.8 (Special requirements in the event of an incident and fire precautions involving dangerous goods);

.10 section 7.9.3 (Contact information for the main designated national competent authorities); and

.11 appendix B.

1.1.1.6 Application of standards

Where the application of a standard is required and there is any conflict between the standard and the provisions of this Code, the provisions of this Code take precedence. The requirements of the standard that do not conflict with the provisions of this Code shall be applied as specified, including the requirements of any other standard, or part of a standard, referenced within that standard as normative.

1.1.1.7 Transport of dangerous goods used as a coolant or conditioner

Dangerous goods, that are only asphyxiant (which dilute or replace the oxygen normally in the atmosphere), when used in cargo transport units for cooling or conditioning purposes are only subject to the provisions of section 5.5.3.

Note: When carried on board as ship's stores or equipment, these coolants and conditioners are not subject to the provisions of this Code.

1.1.1.8 Notification of infringements

When a competent authority has reasons to believe that the safety of the transport of dangerous goods is compromised as a result of serious or repeated infringements of this Code by an enterprise which has its headquarters on the territory of another competent authority, it should if necessary notify that competent authority of such infringements.

1.1.1.9 Lamps containing dangerous goods

The following lamps are not subject to this Code provided that they do not contain radioactive material and do not contain mercury in quantities above those specified in special provision 366 of chapter 3.3:

.1 lamps that are collected directly from individuals and households when transported to a collection or recycling facility;

.2 lamps each containing not more than 1 g of dangerous goods and packaged so that there is not more than 30 g of dangerous goods per package, provided that:

(i) the lamps are manufactured according to a certified quality management system;

Note: The application of ISO 9001:2008 may be considered acceptable for this purpose.

and

(ii) each lamp is either individually packed in inner packagings, separated by dividers, or surrounded with cushioning material to protect the lamps and packed into strong outer packagings meeting the general provisions of 4.1.1.1 and capable of passing a 1.2 m drop test.

.3 used, damaged or defective lamps each containing not more than 1 g of dangerous goods with not more than 30 g of dangerous goods per package when transported from a collection or recycling facility. The lamps shall be packed in strong outer packagings sufficient for preventing release of the contents under normal conditions of transport meeting the general provisions of 4.1.1.1 and that are capable of passing a drop test of not less than 1.2 m.

Note: Lamps containing radioactive material are addressed in 2.7.2.2.2.2.

.4 lamps containing only gases of class 2.2 (according to 2.2.2.2) provided they are packaged so that the projectile effects of any rupture of the bulb will be contained within the package.

■ 1.1.1.10 Dangerous goods in equipment in use or intended for use during transport

■ For dangerous goods in equipment in use or intended for use during transport, see section 5.5.4.

1.1.2 Conventions

1.1.2.1 International Convention for the Safety of Life at Sea, 1974

Part A of chapter VII of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, deals with the carriage of dangerous goods in packaged form, and is reproduced in full:

Chapter VII
Carriage of dangerous goods

Part A
Carriage of dangerous goods in packaged form

Regulation 1
Definitions

For the purpose of this chapter, unless expressly provided otherwise:

1 *IMDG Code* means the International Maritime Dangerous Goods (IMDG) Code adopted by the Maritime Safety Committee of the Organization by resolution MSC.122(75), as may be amended by the Organization, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the annex other than chapter I.

2 *Dangerous goods* mean the substances, materials and articles covered by the IMDG Code.

3 *Packaged form* means the form of containment specified in the IMDG Code.

Regulation 2
Application[*]

1 Unless expressly provided otherwise, this part applies to the carriage of dangerous goods in packaged form in all ships to which the present regulations apply and in cargo ships of less than 500 gross tonnage.

2 The provisions of this part do not apply to ships' stores and equipment.

3 The carriage of dangerous goods in packaged form is prohibited except in accordance with the provisions of this chapter.

4 To supplement the provisions of this part, each Contracting Government shall issue, or cause to be issued, detailed instructions on emergency response and medical first aid relevant to incidents involving dangerous goods in packaged form, taking into account the guidelines developed by the Organization.[†]

Regulation 3
Requirements for the carriage of dangerous goods

The carriage of dangerous goods in packaged form shall be in compliance with the relevant provisions of the IMDG Code.

Regulation 4
Documents

1 Transport information relating to the carriage of dangerous goods in packaged form and the container/vehicle packing certificate shall be in accordance with the relevant provisions of the IMDG Code and shall be made available to the person or organization designated by the port State authority.

2 Each ship carrying dangerous goods in packaged form shall have a special list, manifest or stowage plan setting forth, in accordance with the relevant provisions of the IMDG Code, the dangerous goods on board and the location thereof. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State authority.

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[*] Refer to:
.1 part D which contains special requirements for the carriage of INF cargo; and
.2 regulation II-2/19, which contains special requirements for ships carrying dangerous goods.

[†] Refer to:
.1 the Revised Emergency Response Procedures for Ships Carrying Dangerous Goods (EmS Guide) (MSC.1/Circ.1588/Rev.1); and
.2 the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG).
These Guides are reproduced in the Supplement to the IMDG Code published by the Organization.

Regulation 5
Cargo Securing Manual

Cargo, cargo units* and cargo transport units shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual approved by the Administration. The Cargo Securing Manual shall be drawn up to a standard at least equivalent to the guidelines developed by the Organization.†

Regulation 6
Reporting of incidents involving dangerous goods

1 When an incident takes place involving the loss or likely loss overboard of dangerous goods in packaged form 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 drawn up based on general principles and guidelines developed 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 company, as defined in regulation IX/1.2, shall, to the fullest extent possible, assume the obligations placed upon the master by this regulation.

1.1.2.2 International Convention for the Prevention of Pollution from Ships (MARPOL)

1.1.2.2.1 Annex III of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), deals with the prevention of pollution by harmful substances carried by sea in packaged form and is reproduced in full, as revised by the Marine Environment Protection Committee.

Annex III
Regulations for the prevention of pollution by harmful substances carried by sea in packaged form

Chapter 1 – General

Regulation 1
Definitions

Definitions

1 For the purposes of this Annex:

Harmful substances are those substances which are identified as marine pollutants in the International Maritime Dangerous Goods Code (IMDG Code)§ or which meet the criteria in the appendix of this Annex.

2 *Packaged form* is defined as the forms of containment specified for harmful substances in the IMDG Code.

3 *Audit* means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled.

4 *Audit Scheme* means the IMO Member State Audit Scheme established by the Organization and taking into account the guidelines developed by the Organization.¶

5 *Code for Implementation* means the IMO Instruments Implementation Code (III Code) adopted by the Organization by resolution A.1070(28).

6 *Audit Standard* means the Code for Implementation.

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* As defined in the Code of Safe Practice for Cargo Stowage and Securing (resolution A.714(17), as amended).

† Refer to Revised guidelines for the preparation of the Cargo Securing Manual (MSC/Circ.1353/Rev.2).

‡ 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 (resolution A.851(20), as amended).

§ Refer to the IMDG Code (resolution MSC.122(75), as amended).

¶ Refer to the Framework and Procedures for the IMO Member State Audit Scheme (resolution A.1067(28)).

Regulation 2
Application

1 The carriage of harmful substances is prohibited, except in accordance with the provisions of this Annex.

2 To supplement the provisions of this Annex, the Government of each Party to the Convention shall issue, or cause to be issued, detailed requirements on packing, marking, labelling, documentation, stowage, quantity limitations and exceptions for preventing or minimizing pollution of the marine environment by harmful substances.

3 For the purposes of this Annex, empty packagings which have been used previously for the carriage of harmful substances shall themselves be treated as harmful substances unless adequate precautions have been taken to ensure that they contain no residue that is harmful to the marine environment.

4 The requirements of this Annex do not apply to ship's stores and equipment.

Regulation 3
Packing

Packages shall be adequate to minimize the hazard to the marine environment, having regard to their specific contents.

Regulation 4
Marking and labelling

1 Packages containing a harmful substance shall be durably marked or labelled to indicate that the substance is a harmful substance in accordance with the relevant provisions of the IMDG Code.

2 The method of affixing marks or labels on packages containing a harmful substance shall be in accordance with the relevant provisions of the IMDG Code.

Regulation 5*
Documentation

1 Transport information relating to the carriage of harmful substances shall be in accordance with the relevant provisions of the IMDG Code and shall be made available to the person or organization designated by the port State authority.

2 Each ship carrying harmful substances shall have a special list, manifest or stowage plan setting forth, in accordance with the relevant provisions of the IMDG Code, the harmful substances on board and the location thereof. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State authority.

Regulation 6
Stowage

Harmful substances shall be properly stowed and secured so as to minimize the hazards to the marine environment without impairing the safety of the ship and persons on board.

Regulation 7
Quantity limitations

Certain harmful substances may, for sound scientific and technical reasons, need to be prohibited for carriage or be limited as to the quantity which may be carried aboard any one ship. In limiting the quantity, due consideration shall be given to size, construction and equipment of the ship, as well as the packaging and the inherent nature of the substances.

Regulation 8
Exceptions

1 Jettisoning of harmful substances carried in packaged form shall be prohibited, except where necessary for the purpose of securing the safety of the ship or saving life at sea.

2 Subject to the provisions of the present Convention, appropriate measures based on the physical, chemical and biological properties of harmful substances shall be taken to regulate the washing of leakages overboard, provided that compliance with such measures would not impair the safety of the ship and persons on board.

* Reference to "documents" in this regulation does not preclude the use of electronic data processing (EDP) and electronic data interchange (EDI) transmission techniques as an aid to paper documentation.

Regulation 9
Port State control on operational requirements[*]

1 A ship when in a port or an offshore terminal of another Party is subject to inspection by officers duly authorized by such Party concerning operational requirements under this Annex.

2 Where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by harmful substances, the Party shall take such steps, including carrying out detailed inspection and, if required, will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this Annex.

3 Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to this regulation.

4 Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the present Convention.

Chapter 2 – Verification of compliance with the provisions of this Annex

Regulation 10
Application

Parties shall use the provisions of the Code for Implementation in the execution of their obligations and responsibilities contained in this Annex.

Regulation 11
Verification of compliance

1 Every Party shall be subject to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of this annex.

2 The Secretary-General of the Organization shall have responsibility for administering the Audit Scheme, based on the guidelines developed by the Organization.

3 Every Party shall have responsibility for facilitating the conduct of the audit and implementation of a programme of actions to address the findings, based on the guidelines developed by the Organization.[†]

4 Audit of all Parties shall be:

.1 based on an overall schedule developed by the Secretary-General of the Organization, taking into account the guidelines developed by the Organization; and

.2 conducted at periodic intervals, taking into account the guidelines developed by the Organization.

[*] Refer to the *Procedures for port State control, 2019* (resolution A.1138(31)).

[†] Refer to the Framework and Procedures for the IMO Member State Audit Scheme (resolution A.1067(28)).

Appendix to Annex III
Criteria for the identification of harmful substances in packaged form

For the purpose of this Annex, substances, other than radioactive materials,* identified by any one of the following criteria are harmful substances:†

(a) Acute (short-term) aquatic hazard

Category: Acute 1	
96 hr LC_{50} (for fish)	≤ 1 mg/L and/or
48 hr EC_{50} (for crustacea)	≤ 1 mg/L and/or
72 or 96 hr ErC_{50} (for algae or other aquatic plants)	≤ 1 mg/L

(b) Long-term aquatic hazard

(i) Non-rapidly degradable substances for which there are adequate chronic toxicity data available

Category: Chronic 1	
Chronic NOEC or EC_x (for fish)	≤ 0.1 mg/L and/or
Chronic NOEC or EC_x (for crustacea)	≤ 0.1 mg/L and/or
Chronic NOEC or EC_x (for algae or other aquatic plants)	≤ 0.1 mg/L

Category: Chronic 2	
Chronic NOEC or EC_x (for fish)	≤ 1 mg/L and/or
Chronic NOEC or EC_x (for crustacea)	≤ 1 mg/L and/or
Chronic NOEC or EC_x (for algae or other aquatic plants)	≤ 1 mg/L

(ii) Rapidly degradable substances for which there are adequate chronic toxicity data available

Category: Chronic 1	
Chronic NOEC or EC_x (for fish)	≤ 0.01 mg/L and/or
Chronic NOEC or EC_x (for crustacea)	≤ 0.01 mg/L and/or
Chronic NOEC or EC_x (for algae or other aquatic plants)	≤ 0.01 mg/L

Category: Chronic 2	
Chronic NOEC or EC_x (for fish)	≤ 0.1 mg/L and/or
Chronic NOEC or EC_x (for crustacea)	≤ 0.1 mg/L and/or
Chronic NOEC or EC_x (for algae or other aquatic plants)	≤ 0.1 mg/L

* Refer to class 7, as defined in chapter 2.7 of the IMDG Code.

† The criteria are based on those developed by the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS), as amended. For definitions of acronyms or terms used in this appendix, refer to the relevant paragraphs of the IMDG Code.

(iii) Substances for which adequate chronic toxicity data are not available

Category: Chronic 1	
96 hr LC_{50} (for fish)	$\leq$ 1 mg/L and/or
48 hr EC_{50} (for crustacea)	$\leq$ 1 mg/L and/or
72 or 96 hr ErC_{50} (for algae or other aquatic plants)	$\leq$ 1 mg/L
and the substance is not rapidly degradable and/or the experimentally determined BCF is $\geq$ 500 (or, if absent, the log $K_{ow} \geq 4$).	

Category: Chronic 2	
96 hr LC_{50} (for fish)	> 1 mg/L but $\leq$ 10 mg/L and/or
48 hr EC_{50} (for crustacea)	> 1 mg/L but $\leq$ 10 mg/L and/or
72 or 96 hr ErC_{50} (for algae or other aquatic plants)	> 1 mg/L but $\leq$ 10 mg/L
and the substance is not rapidly degradable and/or the experimentally determined BCF is $\geq$ 500 (or, if absent, the log $K_{ow} \geq 4$).	

Additional guidance on the classification process for substances and mixtures is included in the IMDG Code.

1.1.2.3 International Convention for Safe Containers, 1972 (CSC Convention), as amended

1.1.2.3.1 Regulations 1 and 2 of annex I to the *International Convention for Safe Containers, 1972* (CSC Convention), as amended, deal with safety approval plates and maintenance and examination of containers, and are reproduced in full.

Annex I
Regulations for the testing, inspection, approval and maintenance of containers

Chapter I
Regulations common to all systems of approval

Regulation 1
Safety Approval Plate

1 (a) A Safety Approval Plate conforming to the specifications set out in the appendix to this annex shall be permanently affixed to every approved container at a readily visible place, adjacent to any other approval plate issued for official purposes, where it would not be easily damaged.

(b) On each container, all maximum operating gross mass markings shall be consistent with the maximum operating gross mass information on the Safety Approval Plate.

(c) The owner of the container shall remove the Safety Approval Plate on the container if:

(i) the container has been modified in a manner which would void the original approval and the information found on the Safety Approval Plate, or

(ii) the container is removed from service and is not being maintained in accordance with the Convention, or

(iii) the approval has been withdrawn by the Administration.

2 (a) The plate shall contain the following information in at least the English or French language:

CSC SAFETY APPROVAL

Country of approval and approval reference

Date (month and year) of manufacture

Manufacturer's identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration

Maximum operating gross mass (kg and lb)

Allowable stacking load for 1.8*g* (kg and lb)

Transverse racking test force (newtons).

(b) A blank space should be reserved on the plate for insertion of end-wall and/or side-wall strength values (factors) in accordance with paragraph 3 of this regulation and annex II, tests 6 and 7. A blank space should also be reserved on the plate for the first and subsequent maintenance examination dates (month and year) when used.

3 Where the Administration considers that a new container satisfies the requirements of the present Convention in respect of safety and if, for such container, the end-wall and/or side-wall strength values (factors) are designed to be greater or less than those stipulated in annex II, such values shall be indicated on the Safety Approval Plate. Where the stacking or racking values are less than 192,000 kg or 150 kN, respectively, the container shall be considered as having limited stacking or racking capacity and shall be conspicuously marked, as required under the relevant standards,* at or before their next scheduled examination or before any other date approved by the Administration, provided this is not later than 1 July 2015.

4 The presence of the Safety Approval Plate does not remove the necessity of displaying such labels or other information as may be required by other regulations which may be in force.

5 A container, the construction of which was completed prior to 1 July 2014, may retain the Safety Approval Plate as permitted by the Convention prior to that date as long as no structural modifications occur to that container.

Regulation 2
Maintenance and examination

1 The owner of the container shall be responsible for maintaining it in safe condition.

2 **(a)** The owner of an approved container shall examine the container or have it examined in accordance with the procedure either prescribed or approved by the Contracting Party concerned, at intervals appropriate to operating conditions.

(b) The date (month and year) before which a new container shall undergo its first examination shall be marked on the Safety Approval Plate.

(c) The date (month and year) before which the container shall be re-examined shall be clearly marked on the container on or as close as practicable to the Safety Approval Plate and in a manner acceptable to that Contracting Party which prescribed or approved the particular examination procedure involved.

(d) The interval from the date of manufacture to the date of the first examination shall not exceed five years. Subsequent examination of new containers and re-examination of existing containers shall be at intervals of not more than 30 months. All examinations shall determine whether the container has any defects which could place any person in danger.

3 **(a)** As an alternative to paragraph 2, the Contracting Party concerned may approve a continuous examination programme if satisfied, on evidence submitted by the owner, that such a programme provides a standard of safety not inferior to the one set out in paragraph 2 above.

(b) To indicate that the container is operated under an approved continuous examination programme, a mark showing the letters **ACEP** and the identification of the Contracting Party which has granted approval of the programme shall be displayed on the container on or as close as practicable to the Safety Approval Plate.

(c) All examinations performed under such a programme shall determine whether a container has any defects which could place any person in danger. They shall be performed in connection with a major repair, refurbishment, or on-hire/off-hire interchange and in no case less than once every 30 months.

4 As a minimum, approved programmes should be reviewed once every 10 years to ensure their continued viability. In order to ensure uniformity by all involved in the inspection of containers and their ongoing operational safety, the Contracting Party concerned shall ensure the following elements are covered in each prescribed periodic or approved continuous examination programme:

(a) methods, scope and criteria to be used during examinations;

(b) frequency of examinations;

(c) qualifications of personnel to carry out examinations;

(d) system of keeping records and documents that will capture:

(i) the owner's unique serial number of the container;

(ii) the date on which the examination was carried out;

(iii) identification of the competent person who carried out the examination;

(iv) the name and location of the organization where the examination was carried out;

* Refer to current standard ISO 6346, *Freight containers – Coding, identification and marking.*

(v) the results of the examination; and

(vi) in the case of a periodic examination scheme (PES), the next examination date (NED);

(e) a system for recording and updating the identification numbers of all containers covered by the appropriate examination scheme;

(f) methods and systems for maintenance criteria that addresses the design characteristics of the specific containers;

(g) provisions for maintaining leased containers if different than those used for owned containers; and

(h) conditions and procedures for adding containers into an already approved programme.

5 The Contracting Party shall carry out periodic audits of approved programmes to ensure compliance with the provisions approved by the Contracting Party. The Contracting Party shall withdraw any approval when the conditions of approval are no longer complied with.

6 For the purpose of this regulation, *the Contracting Party concerned* is the Contracting Party of the territory in which the owner is domiciled or has his head office. However, in the event that the owner is domiciled or has his head office in a country the government of which has not yet made arrangements for prescribing or approving an examination scheme and until such time as the arrangements have been made, the owner may use the procedure prescribed or approved by the Administration of a Contracting Party which is prepared to act as the Contracting Party concerned. The owner shall comply with the conditions for the use of such procedures set by the Administration in question.

7 Administrations shall make information on approved continuous examination programmes publicly available.

1.1.3 Dangerous goods forbidden from transport

1.1.3.1 Unless provided otherwise by this Code, the following are forbidden from transport:

Any substance or article which, as presented for transport, is liable to explode, dangerously react, produce a flame or dangerous evolution of heat or dangerous emission of toxic, corrosive or flammable gases or vapours under normal conditions of transport.

In chapter 3.3, special provisions 349, 350, 351, 352, 353 and 900 list certain substances, which are forbidden for transport.