

S.I. No. 96 of 1999

**European Communities (Minimum Requirements for Vessels Carrying
Dangerous or Polluting Goods) (Amendment) Regulations, 1999**

I MICHAEL WOODS, Minister for the Marine and Natural Resources, in exercise of the powers conferred on my by Section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive 98/55/EC ⁽¹⁾ of 17 July 1998 and to Commission Directive 98/74/EC ⁽²⁾ of 1 October, 1998, hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Minimum Requirements for Vessels Carrying Dangerous or Polluting Goods) (Amendment) Regulations, 1999.
2. The European Communities (Minimum Requirements for Vessels Carrying Dangerous or Polluting Goods) Regulations, 1995 (S.I. No. 229 of 1995) are hereby amended as follows:

(a) In Regulation 3(1):

- (i) by the substitution for the definition of “Council Directive” of the following:

“ ‘Council Directive’ means Council Directive 93/75/EC of 13 September, 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods, as amended by Council Directive 98/55/EC of 17 July, 1998 and Commission Directive 98/74/EC of 1 October, 1998;”

- (ii) by the substitution for the definition of “dangerous goods” of the following:

“ ‘dangerous goods’ means goods classified in the IMDG Code (including radioactive materials as referred to in the INF Code), in Chapter 17 of the IBC Code and in Chapter 19 of the IGC Code;”

⁽¹⁾O.J. No. L215, 1.8.98, page 65

⁽²⁾O.J. No. L27, 13.10.98, page 7

- (iii) by the substitution for the definition of “IBC Code” of the following:

“ ‘IBC Code’ means the IMO International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, as it is in force on the 10th July, 1998;”

- (iv) by the substitution for the definition of “IGC Code” of the following:

“ ‘IGC Code’ means the IMO International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, as it is in force on the 1st day of July, 1998;”

- (v) by the substitution for the definition of “IMDG Code” of the following:

“ ‘IMDG Code’ means the IMO International Maritime Dangerous Goods Code, as it is in force on the 1st day of January, 1997;”

- (vi) by the deletion of the definition of “IMO Resolution A.648(16)”.

- (vii) by the insertion of the following:

Maritime Assembly at its “General reporting incidents and/or marine	“ ‘IMO Resolution A.851(20)’ means the International Organisation Resolution 851(20) adopted by the 20th session on 27 November 1997 and entitled principles for ship reporting systems and ship requirements, including guidelines for reporting involving dangerous goods, harmful substances pollutants;”
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(viii) by the insertion of the following:

“ ‘INF Code’ means the IMO code for the safe carriage of irradiated nuclear fuel, plutonium and high-level radioactive wastes in flasks on board ships, as it is in force on 1 January, 1998;”

and

(ix) by the substitution for the definition of “MARPOL” of the following:

“ ‘MARPOL’ means the International Convention for the Prevention of Pollution from Ships, 1973 done at London on the 2nd day of November, 1973, as amended by the Protocol thereto done at London on the 17th day of February, 1978, as it is in force on the 1st day of January, 1998;”

(b) In Regulation 11(c):

(a) by the substitution of “IMO Resolution A.851(20)” for “IMO Resolution A.648(16)”;

(b) by the deletion of the words “as set out in Marine Notice no. 2 of 1993”.

(c) In Regulation 16(d): by the substitution of “IMO Resolution A.851(20)” for “IMO Resolution A.648(16)”.

(d) by the substitution for the Second and Third Schedules of the following:

“ SECOND SCHEDULE

Regulations 9 and 11

Information on vessels carrying dangerous or polluting goods

1. Name and call sign of the vessel, where appropriate, its IMO identification number.
2. Nationality of the vessel.
3. Length and draught of the vessel.
4. Port of destination.
5. Estimated time of arrival at the port of destination or pilot station, as required by competent authority.
6. Estimated time of departure.
7. Intended route.
8. The correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the vessel as defined by the INF Code, the quantities of such goods and their location on board and, if in portable tanks or freight containers, their identification marks.
9. Confirmation that a list or manifest or appropriate loading plan giving details of the dangerous or polluting goods carried and of their location of the vessel is on board.
10. Number of crew on board.”

3. The European Communities (Minimum Requirements for Vessels Carrying Dangerous or Polluting Goods) Regulations, 1995 (Amendment) Regulations, 1998 (S.I. No. 394 of 1998), are hereby revoked.

GIVEN under my Official Seal

this 21st day of April, 1999

L.S.

Michael Woods

Minister for the Marine and Natural Resources

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations give effect to Council Directive 98/55/EC of 17 July, 1998 and Commission Directive 98/74/EC of 1 October, 1998, both of which amend Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods. These Regulations also amend the European Communities (Minimum Requirements for Vessels Carrying Dangerous or Polluting Goods) Regulations, 1995 (S.I. No. 229 of 1995) accordingly and revoke the European Communities (Minimum Requirements for Vessels Carrying Dangerous or Polluting Goods) (Amendment) Regulations, 1998 (S.I. No. 394 of 1998).

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