

RESOLUTION MSC.87(71)

adopted on 27 May 1999

ADOPTION OF AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING FURTHER article VIII(b) of the International Convention for the Safety of Life at Sea (SOLAS), 1974, hereinafter referred to as "the Convention", concerning the procedures for amending the Annex to the Convention, other than the provisions of chapter I thereof,

RECOGNIZING the need for the mandatory application of an agreed international standard for the carriage of INF cargo by sea,

HAVING CONSIDERED, at its seventy-first session, amendments to the Convention proposed and circulated in accordance with article VIII(b)(i) thereof,

1. ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the Convention the text of which is set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments shall be deemed to have been accepted on

1 July 2000, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3. INVITES Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2001 upon their acceptance in accordance with paragraph 2 above;

4. REQUESTS the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the Annex to all Contracting Governments to the Convention;

5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its Annex to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX

AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED

CHAPTER VII

CARRIAGE OF DANGEROUS GOODS

PART A

1 The following sentence is added at the end of existing paragraph 3 of regulation 1:

"In addition, the requirements of part D shall apply to the carriage of INF cargo as defined in regulation 14.2".

2 The following new part D is added after existing part C:

PART D

SPECIAL REQUIREMENTS FOR THE CARRIAGE OF PACKAGED IRRADIATED NUCLEAR FUEL, PLUTONIUM AND HIGH-LEVEL RADIOACTIVE WASTES ON BOARD SHIPS

Regulation 14

Definitions

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

1 INF Code means the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships, adopted by the Maritime Safety Committee of the Organization by resolution MSC.88(71), 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 1.

2 INF cargo means packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes carried as cargo in accordance with Class 7 of the IMDG Code, schedule 10, 11, 12 or 13.

3 Irradiated nuclear fuel means material containing uranium, thorium and/or plutonium isotopes which has been used to maintain a self-sustaining nuclear chain reaction.

4 Plutonium means the resultant mixture of isotopes of that material extracted from irradiated nuclear fuel from reprocessing.

5 High-level radioactive wastes means liquid wastes resulting from the operation of the first stage extraction system or the concentrated wastes from subsequent extraction stages, in a facility for reprocessing irradiated nuclear fuel, or solids into which such liquid wastes have been converted.

6 IMDG Code means the International Maritime Dangerous Goods Code adopted by the Assembly of the Organization by resolution A.716(17), as amended and may be amended by the Maritime Safety Committee.

Regulation 15

Application to ships carrying INF cargo

1 Except as provided for in paragraph 2, this part shall apply to all ships regardless of the date of construction and size, including cargo ships of less than 500 gross tonnage, engaged in the carriage of INF cargo.

2 This part and the INF Code do not apply to warships, naval auxiliary or other vessels owned or operated by a Contracting Government and used, for the time being, only on government non-commercial service; however, each Administration shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities of such ships owned or operated by it, that such ships carrying INF cargo act in a manner consistent, so far as reasonable and practicable, with this part and the INF Code.

3 Nothing in this part or the INF Code shall prejudice the rights and duties of governments under international law and any action taken to enforce compliance shall be consistent with international law.

Regulation 16

Requirements for ships carrying INF cargo

1 A ship carrying INF cargo shall comply with the requirements of the INF Code in addition to any other applicable requirements of the present regulations and shall be surveyed and certified as provided for in that Code.

2 A ship holding a certificate issued pursuant to the provisions of paragraph 1 shall be subject to the control established in regulations I/19 and XI/4. For this purpose, such certificate shall be treated as a certificate issued under regulation I/12 or I/13."
