
STATUTORY INSTRUMENTS

1999 No. 336

The Merchant Shipping (Carriage of Cargoes) Regulations 1999

PART III

Special Provisions For Bulk Cargoes Other Than Grain

Acceptability for loading

9.—(1) Prior to loading a bulk cargo the master shall be in possession of stability information, provided pursuant to regulation 32 of the Merchant Shipping (Load Line) Regulations 1998⁽¹⁾ containing comprehensive information on the ship's stability and on the distribution of cargo and ballast for the standard loading conditions.

(2) The master shall not accept for loading concentrates or other cargoes which may liquefy unless:

- (i) either the moisture content of the cargo indicated in the certificate referred to in regulation 4(1)(b) is less than its transportable moisture limit or
- (ii) if the moisture content is above that limit, appropriate safety arrangements are made to the satisfaction of the Certifying Authority to ensure adequate stability in the case of cargo shifting, and the ship has adequate structural integrity.

(3) Prior to loading a bulk cargo referred to in regulation 4(1)(b)(iii), appropriate special precautions for its safe carriage shall be taken.

(4) The owner shall ensure that the master is furnished with the information referred to in paragraph (1).

(5) The master shall not accept cargo for loading unless:

- (a) he has in his possession the information required by paragraph (1),
- (b) he is satisfied by calculations that the proposed loading arrangements would ensure sufficient stability in accordance with the stability information provided under paragraph (1); and
- (c) he is satisfied that, in the case of a cargo to which paragraph (3) applies, the precautions required by that paragraph have been taken.

(6) An owner who contravenes paragraph (4) shall be guilty of an offence.

(7) A master who contravenes paragraph (2) or (5) shall be guilty of an offence.

Loading, unloading and stowage of bulk cargoes

- (a) **10. (1) (a)** In this regulation “terminal representative” means an individual who represents the terminal or other facility where the ship is loading or unloading and who has responsibility for operations conducted by that terminal or facility with regard to the particular ship.

(1) S.I.1998/2241.

- (b) For the purposes of paragraphs (3) and (7) of this regulation, the appropriate authority of a port in the United Kingdom shall be the harbour authority of that port. If a terminal in the port is not operated by the harbour authority, then the operator of the terminal shall be the appropriate authority.

(2) To enable the master to prevent excessive stresses in the ship's structure, it shall be the duty of the owner to ensure the ship shall be provided with a cargo loading manual, which shall be written in a language with which the ship's officers responsible for cargo operations are familiar. If this language is not English, the ship shall be provided with a manual written also in the English language. The manual may consist of one or more booklets and shall, as a minimum, include:

- (a) stability data, to the extent required by regulation 32 of the Merchant Shipping (Load Line) Regulations 1998(2);
- (b) ballasting and deballasting rates and capacities;
- (c) maximum allowable load per unit surface area of the tank top plating;
- (d) maximum allowable load per hold;
- (e) general loading and unloading instructions with regard to the strength of the ship's structure including any limitations on the most adverse operating conditions during loading, unloading, ballasting operations and the voyage;
- (f) any special restrictions such as limitations on the most adverse operating conditions imposed by the Administration or organization recognised by it, if applicable; and
- (g) where strength calculations are required, maximum permissible forces and moments on the ship's hull during loading, unloading and the voyage.

(3) Before a solid bulk cargo is loaded or unloaded, the master and the terminal representative shall agree on a plan which:

- (i) shall ensure that the permissible forces and moments on the ship are not exceeded during loading or unloading, and
- (ii) shall include the sequence, quantity and rate of loading or unloading,

taking into consideration the intended speed of loading or unloading, intended number of pours and the deballasting or ballasting capability of the ship. The plan and any subsequent amendments thereto shall be lodged with the appropriate authority of the port State.

(4) It shall be the duty of the master to ensure that bulk cargoes are loaded and trimmed reasonably level, as necessary, to the boundaries of the cargo space so as to minimize the risk of shifting and to ensure that adequate stability will be maintained throughout the voyage.

(5) It shall be the duty of the master to ensure that:

- (a) when bulk cargoes are carried in 'tween-decks, the hatchways of such 'tween-decks are closed in those cases where the loading information indicates an unacceptable level of stress of the bottom structure if the hatchways are left open;
- (b) the cargo is trimmed reasonably level and either extends from side to side or is secured by additional longitudinal divisions of sufficient strength;
- (c) the safe load-carrying capacity of the 'tween-decks is observed to ensure that the deck-structure is not overloaded.

(6) The master and terminal representative shall ensure that loading and unloading operations are conducted in accordance with the plan agreed under paragraph (3).

- (a) (7) (a) If during loading or unloading any of the limits of the ship referred to in paragraph (2) are exceeded or are likely to become so if the loading or unloading continues,

the master has the right to suspend operation, and if he does so he shall notify accordingly the appropriate authority of the port State with which the plan has been lodged.

- (b) Where sub-paragraph (a) applies the master and the terminal representative shall ensure that corrective action is taken.
- (c) When unloading cargo, the master and terminal representative shall ensure that the unloading method does not damage the ship's structure.
- (a) (8) (a) The master shall ensure that ship's personnel continuously monitor cargo operations.
- (b) Where possible, the ship's draught shall be checked regularly during loading or unloading to confirm the tonnage figures supplied.
- (c) Each draught and tonnage observation shall be recorded in a cargo log-book.
- (d) If significant deviations from the plan agreed under paragraph (3) are detected, cargo or ballast operations or both shall be adjusted to ensure that the deviations are corrected.
- (a) (9) (a) An owner who contravenes paragraph (2) shall be guilty of an offence.
- (b) A master who contravenes paragraphs (3), (4), (5), (6), (7)(b) or (c) or (8) shall be guilty of an offence.
- (c) A terminal representative in the United Kingdom who contravenes paragraphs (3), (6), (7) (b) or (c) shall be guilty of an offence.