



Marine Notice No. 59 of 2020

Notice to all terminal operators, ship owners and masters loading and unloading bulk carriers.

This Marine Notice Supersedes Marine Notice 17 of 2008

Safe Loading and Unloading of Bulk Carriers in accordance with S.I. No. 347/2003 – European Communities (Safe Loading and Unloading of Bulk Carriers) Regulations 2003

1 Background

The purpose of [S.I. No. 347/2003 – European Communities \(Safe Loading and Unloading of Bulk Carriers\) Regulations 2003](#)¹ (S.I. No. 347/2003) is to enhance the safety of “Bulk Carriers” calling at terminals in the Member States in order to load or unload “Solid Bulk Cargo”, by reducing the risks of excessive stresses and physical damage to the ship's structure during loading or unloading, through the establishment of:

- (1) harmonised suitability requirements for those ships and terminals; and
- (2) harmonised procedures for cooperation and communication between those ships and terminals.

2 Scope

This Marine Notice relates to all terminals and ship owners/masters that load and unload bulk carriers that carry solid bulk cargoes to and from Irish ports².

3 Exclusions

Without prejudice to the provisions of Regulation 7 of Chapter VI of the 1974 SOLAS Convention, the requirements of *S.I. No. 347/2003* do not apply to:

¹ These regulations implement the provisions of [~ DIRECTIVE 2001/96/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers](#)

² This Marine Notice shall not be construed as a legal interpretation and reference should be made to S.I. No. 347/2003.

- Terminals used only in exceptional circumstances for loading and unloading dry cargo in bulk into or from bulk carriers, and
- Where the loading or unloading is carried out solely with the equipment of the bulk carrier concerned.

4 Definitions

“*Bulk Carrier*” means one of the following-

(a) a ship constructed with single deck, top-side tanks and hopper-side tanks in cargo spaces and intended primarily to carry dry cargo in bulk, or

(b) an ore carrier, meaning a sea-going single deck ship having two longitudinal bulkheads and a double bottom throughout the cargo region and intended for the carriage of ore cargoes in the Centre holds only, or

(c) a combination carrier as defined in Regulation 3.27 of Chapter II-2 of the 1974 SOLAS Convention;

“*Solid Bulk Cargo*” means any material, other than liquid or gas, consisting of a combination of particles, granules, or any larger pieces of material, generally uniform in composition which is loaded directly into the cargo spaces of a ship without any intermediate form of containment, but does not mean grain;

“*Terminal Operator*” means the owner of a terminal, or any person to whom such an owner has transferred the responsibility for loading or unloading operations conducted at the terminal concerned for a particular bulk carrier;

“*Terminal Representative*” means a competent and experienced person appointed by a terminal operator, with overall responsibility for, and authority to control the preparation, conduct and completion of loading or unloading operations at the terminal concerned in relation to any bulk carrier.

5 Obligations

5.1. Terminal operators/representatives

The obligations of terminal operators are set out in the following regulations of *S.I. No. 347/2003*:

- Regulation 5 – *Requirements in relation to the operational suitability of bulk carriers*;
- Regulation 6 – *Requirements in relation to the suitability of the terminal (includes a requirement for a certified and audited quality management system in accordance with ISO 9001 and ISO 19011 respectively)*;
- Regulation 9 - *Responsibilities of the Terminal Representative*;
- Regulation 10 – *Procedures between bulk carriers and terminals*;

- Regulation 11- *Ship to shore safety checklist*;
- Regulation 12 – *Communication*.

5.2. Ship owners/masters

The obligations of masters are set out in the following regulations of *S.I. No. 347/2003*:

- Regulation 8 – *Responsibilities of masters*;
- Regulation 10 – *Procedures between bulk carriers and terminals*;
- Regulation 11 – *Ship to shore safety checklist*;
- Regulation 12 – *Communication*.

6 Temporary Authorisation (for newly established terminals only)

As permitted under Regulation 7 of *S.I. No. 347/2003*, a newly established terminal may be granted temporary authorisation to operate for a period of 12 month. During this period the terminal is required to comply with the provisions of *S.I. No. 347/2003* but is not obliged to have developed and implemented a quality management system in accordance with regulation 6(1)(a)(iii).

During the initial 12-month period the terminal operator concerned shall furnish to the Marine Survey Office, if so requested, the particulars of the quality management system that is being proposed for that terminal.

7 Inspections by the Department of Transport

Duly appointed Authorised Officers can carry out inspections in accordance with Regulation 15 of *S.I. No. 347/2003* as follows:

- (1) Inspections of terminals in order to satisfy itself as to compliance with these Regulations and in particular with Regulations 6(1), 8 (2) and 9 of *S.I. No. 347/2003*.
- (2) Inspections during the loading or unloading of a bulk carrier, without giving prior notification of the inspection to any relevant persons or undertakings.
- (3) Inspections of a terminal to ensure that quality management systems are in place and complied with pursuant to *S.I. No. 347/2003*.

8 Action required by

8.1. Terminal operators

Ensure they comply with their obligations as set out in section 5.1 above.

All Terminals that load and unload solid bulk cargo are recommended to maintain a record of all ship calls to facilitate inspections by authorised officers. As a minimum, the Terminal Operator should include the following information:

Visit Dates	<dd/mm/yyyy – dd/mm/yyyy>
Name of vessel:	<Name of Ship>
IMO Number:	<IMO Number>
Type of Vessel:	<Bulk Carrier/Other Cargo Ship>
Solid Bulk Cargo:	<Yes/No>
	<Type of Cargo>
Loading /Unloading?	<Loading/Unloading>
Loading or unloading carried out solely with the equipment of the bulk carrier concerned?	<Yes/No>

8.2. Ship Owners/Masters

Ensure they comply with their obligations as set out in section 5.2 above.

9 Offences

Please refer to Regulation 17 and 18 of [S.I. No. 347/2003 – European Communities \(Safe Loading and Unloading of Bulk Carriers\) Regulation 2003 \(S.I. No. 347/2003\)](#)

Note: Marine Notices are issued purely for maritime safety and navigation reasons and should not be construed as conferring rights or granting permissions.

Irish Maritime Administration,
Department of Transport
Leeson Lane, Dublin 2, D02 TR60, Ireland.

14/12/2020

For any technical assistance in relation to this Marine Notice, please contact:
The Marine Survey Office, MSO@transport.gov.ie
For general enquiries, please contact the Maritime Safety Policy Division,
MaritimeSafetyPolicyDivision@transport.gov.ie
Written enquiries concerning Marine Notices should be addressed to:
Dept. of Transport, Maritime Safety Policy Division, Leeson Lane, Dublin 2, D02 TR60, Ireland.
email: MarineNotices@transport.gov.ie or visit us at: <https://www.gov.ie/transport>