

Circular - Series R

Circular Series R (Regulations) supersedes previous Series F. In the new Series R, relevant legal amendments and amendments to conventions are also published.

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Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships

The Norwegian Maritime Authority (NMA) has laid down new Regulations on dangerous goods on Norwegian ships. These Regulations enter into force on 15 September 2014. As from the same date, the Regulations of 8 December 2009 No. 1481 concerning the carriage of dangerous cargoes on Norwegian ships (Regulations 2009/1481) are repealed.

Consultation

The proposed new Regulations on dangerous goods on Norwegian ships were circulated for review from 10 January to 15 April 2014. A total of 17 consultative statements came in, whereof 11 did not include comments to the proposal.

Following the consultation we chose to adjust the structure of chapter 3, so that the chapter has one less provision than the draft that was circulated for review. This has been further described in the comment to section 10 of the Regulations. This amendment means that the section numbering of the draft as regards chapter 3 and subsequent sections does not correspond to the numbering of the adopted Regulations.

Further information about the contents of the Regulations

The Regulations lay down the principle that the carriage of dangerous goods is prohibited, insofar as it is not permitted pursuant to rules laid down with legal basis in section 2 of the Ship Safety and Security Act. The Regulations make the rules of the Safety of Life at Sea (SOLAS) Convention chapter VII concerning the carriage of dangerous goods applicable as regulation. Certain adjustments have been made for domestic voyages, otherwise the requirements of current law have been continued. For the carriage of packaged dangerous goods on ro-ro ships forming a part of the road network in domestic trade, certain amendments have been made compared to the current Regulations. These are explained in more detail below.

Refrigerated gases

The Regulations stipulate that refrigerated gases are allowed on passenger ferries engaged on domestic voyages without passenger limitation, see Appendix 1 B to the Regulations. This is a continuation of current law.

Specifically to foam fire-extinguishing systems on vehicle decks

The starting point of the Regulations is that there is no requirement for a fixed foam fire-extinguishing system on ferries engaged on domestic voyages carrying dangerous cargo¹. A flexible solution is instead introduced, with less strict requirements for the carriage of dangerous goods on ferries with a foam fire-extinguishing system than on ferries without. It will therefore be optional for the company whether to install a fixed foam fire-extinguishing system on the vehicle deck. The option will on the other hand be significant for the extent to which the ship may carry dangerous goods in accordance with the new Regulations, cf. sections 10 to 12 of the Regulations.

Ferries not complying with the current requirements will have to apply for an exemption pursuant to section 14 of the Regulations. The company must in the application establish that compensating measures will maintain the same level of safety as the requirement to which the application applies. In the event of applications for exemptions, it will be natural to use as a starting point the compensating measures given as conditions for previously granted exemptions to the ship. Typical conditions for the exemptions were that the carriage had to take place in favourable weather conditions and only during the times of the day with the least amount of passenger traffic, in addition to several other conditions, e.g. that the crew must have sufficient knowledge, the transport unit must be kept under observation throughout the crossing, portable foam and absorption material must be found on board, the packaging of the transport unit must be checked prior to being brought on board, requirements for placement of transport unit and an absolute smoking prohibition on deck.

The NMA presupposes that competent authorities calling for tenders on concessions in the future, will make sure to include necessary specifications where needed, for example with requirements for fixed foam fire-extinguishing system on routes where it is necessary to carry dangerous goods without the limitations that apply for ships without such systems. With such a solution, the need for upgrades will not be present for operators under current concessions.

Specifically to requirements for training

The requirements for training, cf. Regulations 2009/1481 section 5, have been continued in that SOLAS chapter VII and the relevant Codes in general have been made applicable as regulation, in addition to the requirements pursuant to STCW² already implemented into Norwegian legislation by the Qualification Regulations³. No new requirements for approval of training have been introduced.

It is up to the companies to ensure that the requirements that follow from the Codes, cf. sections 5 and 8 of the Regulations, have been satisfied for the crew. This must be documented by the company through the safety management system. The company's compliance with these requirements will be controlled by the Norwegian Maritime Authority by way of ISM audits and supervision.

¹ In the new Regulations on fire protection on ships, laid down by the NMA in parallel with these Regulations, the content of the rules has been changed, so that there is no longer a requirement for ro-ro ships carrying dangerous goods to have a fixed foam fire-extinguishing system. If such a system is installed on the ship, however, the technical requirements that follow from the current Regulations have been continued.

² International Convention on Standards of Training, Certification and Watchkeeping for Seafarers

³ Regulations of 22 December 2011 No. 1523 concerning qualifications and certificates for seafarers

Specifically to high-speed craft

SOLAS chapter X "Safety measures for high-speed craft" and the HSC Code (International Code of Safety for High-speed Craft), with special rules on the carriage of dangerous goods on high-speed craft, have been implemented through the Regulations of 5 January 1998 No. 6 concerning the construction, equipment and operation of high-speed craft used as passenger craft or cargo craft.

High-speed craft not covered by the HSC Code are covered by the Regulations on dangerous goods that are now being laid down, and shall thus comply with the requirements stipulated therein for the carriage of dangerous goods.

Comments to the individual provisions

In the following we will comment further on the content of the individual provisions of the Regulations. Following the consultation we chose to adjust the structure of chapter 3, so that the chapter has one less provision than the proposal circulated for review. This amendment means that the section numbering in the draft as regards chapter 3 and subsequent sections does not correspond to the numbering of the adopted Regulations.

To section 1 Scope of application

Barges

Barges are covered by the term "ship", and will therefore be covered regardless of the specification in section 1. Of pedagogical reasons we have nevertheless mentioned barges specifically in the provision in order to avoid misunderstandings, since barges in principle are not covered by the scope of application of SOLAS chapter VII.

Mobile offshore units

Mobile offshore units are not mentioned in the scope of application, and are therefore not covered by the Regulations. This is a continuation of current law.

Fishing vessels

The rules regarding dangerous cargo shall apply to all Norwegian ships, including fishing vessels. The fact that fishing vessels are covered by the scope of application means that such vessels are covered by the prohibition against carrying dangerous goods, cf. section 2. In this connection, we would like to specify that the term "goods" only covers goods taken on board to be carried from A to B. A relevant issue for fishing vessels are goods being taken on board for own consumption, or goods being produced underway (such as fish oil being produced on board). Such cases are not covered by the term "goods", and therefore falls outside the scope of application of the Regulations.

High-speed craft

High-speed craft that fall outside the scope of application of the HSC Code, are covered by the Regulations.

To section 2 Prohibition

The provision codifies and specifies the starting point; that it is prohibited to carry dangerous goods unless provided otherwise by these Regulations or other regulations laid down pursuant to the Ship Safety and Security Act.

We do not see a need to include a definition of the term "dangerous goods" in the text of the Regulations, since this is provided in SOLAS chapter VII.

To section 3 Documentation

The provision continues Regulations 2009/1481 section 4 second paragraph, which is an implementation of the Directives 2009/17/EC and 2011/15/EU. A parallel provision related to polluting goods is found in section 3 of the Environmental Safety Regulations⁴.

The Regulations do not set bounds for which emergency numbers to include in the documentation, cf. subparagraph e, as long as the requirement for knowledge about the goods is satisfied. The requirement will normally be satisfied by using 110 (the Norwegian emergency number in the event of a fire), but does not exclude that other numbers could be satisfactory.

To section 4 First aid in the event of chemical poisoning and procedures for fire and discharges

The provision continues Regulations 2009/1481 section 6, and supplements the latitude given to the Member States by SOLAS regulations VII/2.4 and 7-1.3, where the states on this topic are referred to the IMO's guidelines of MSC/Circ.1025 and MSC/Circ.857.

To section 5 Carriage of dangerous goods on ships engaged on foreign voyages

This is an incorporation provision, where it is stipulated that SOLAS chapter VII applies as regulation. The rules of SOLAS chapter VII in principle only apply for the cases falling within the scope of application of chapter VII. This includes the following ships engaged on international voyages: passenger ships carrying more than 12 passengers and cargo ships (incl. cargo ships of less than 500 gross tonnage).

SOLAS chapter VII requires the compliance with a number of IMO Codes. These Codes have been included in section 5.

The International Maritime Solid Bulk Cargoes Code (IMSBC Code), cf. MSC.268(85) as amended by MSC.318(89), is made binding by SOLAS regulation VII/7-5:

"The carriage of dangerous goods in solid form in bulk shall be in compliance with the relevant provisions of the IMSBC Code, as defined in regulation VI/1-1.1."

However, this Code has also been made binding by SOLAS regulation VI/1.2. In order to avoid duplication of rules, the IMSBC Code will only be incorporated into the Regulations on the carriage of cargoes on Norwegian ships and barges, which are being laid down in parallel. Ships carrying dangerous goods will also have to relate to the Regulations on the carriage of cargoes, and will therefore find the legal basis for the requirements pursuant to the IMSBC Code there.

To section 6 Carriage of hazardous liquid substances on ships engaged in the offshore petroleum industry

The provision continues Regulations 2009/1481 section 14 first paragraph subparagraph c. A parallel wording regarding hazardous liquid substances in bulk is found in section 7 third paragraph of the Environmental Safety Regulations.

This is a so-called "should rule". In other words, the starting point is the main rule in section 5, stipulating that SOLAS chapter VII applies as regulation, but in the cases covered by section 6, this provision provides the possibility of alternatively complying with the rules stipulated here.

To section 7 Chemical tankers and gas carriers constructed before 1 July 1986

The provision continues Regulations 2009/1481 section 14 second paragraph and section 15 second and third paragraph. The term "gas carriers" has been used to specify that this applies to ships carrying gas as cargo, not ships using gas as fuel. The provision is probably the most practical when flagging in older ships. It is in addition useful to have such a

⁴ Regulations of 30 May 2012 No. 488 concerning environmental safety for ships and mobile offshore units

specification in regulations, so that i.a. the classification societies can easily find out which rules apply to these ships.

To section 8 Carriage of dangerous goods on ships engaged on domestic voyages

As a continuation of current law, the rules that apply to ships engaged on foreign voyages have also been made applicable to passenger ships and cargo ships engaged on domestic voyages.

To section 9 Carriage of packaged dangerous goods on ships engaged in the offshore industry on the Norwegian continental shelf

The provision continues Regulations 2009/1481 section 17 second paragraph. These are less strict Norwegian rules, which may be complied with as an alternative to satisfying SOLAS chapter VII, cf. section 8 of the Regulations. Section 9 of the proposed Regulations contained the same material terms in a revised form. After the consultation, the draft was reviewed, and we saw that the proposed section was not sufficiently clear. The NMA has therefore chosen to continue the current provision with some linguistic adjustments.

The provision contains a specification compared to the wording in the current Regulations, in that it only covers Norwegian ports. The wording in the current Regulations is not clear on this point, but the provision was never meant to apply to ships calling at foreign ports.

To section 10 Carriage of packaged dangerous goods on ro-ro ships engaged on domestic voyages

Sections 10 to 12 of the Regulations continue sections 8 to 12 of Regulations 2009/1481 regarding packaged dangerous goods on ro-ro ships engaged on domestic voyages. New rules on the carriage of dangerous goods on ferries without fixed foam fire-extinguishing system have additionally been included. These rules are also "may"-rules, and constitute an alternative to the starting point, i.e. compliance with the rules of SOLAS chapter VII, cf. section 8.

Compared to the proposed Regulations circulated for review, a slightly different structure has been chosen for ro-ro ships engaged on domestic voyages. Section 10 now includes all requirements for ro-ro ships with fixed foam fire-extinguishing system, whereas section 11 contains the requirements for ro-ro ships without fixed foam fire-extinguishing system.

Section 10 third paragraph continues the requirement of Regulations 2009/1481 for having procedures describing the safety measures to be implemented for ships carrying ADR transport units. This applies to e.g. procedures for preventing accidental events such as damage to packaging, smell, overheating of the wheel bearings, or leakage from safety valves or from the loading/unloading valves, as well as procedures for wearing anti-exposure suits. It is the company's responsibility to have the necessary procedures in place and to ensure compliance with these procedures. The procedures shall not be approved by the NMA, but the NMA may check that necessary procedures are in place when carrying out supervision. This would also be a natural part of the investigation following an accident.

The sixth paragraph contains requirements for the ADR transport unit to be kept under observation during the crossing. The master's responsibility for ensuring a watchkeeping arrangement that maintains the safety of the ship when the ship is carrying dangerous goods, has been established in section 6 paragraph 2.4 of the Regulations concerning watchkeeping⁵. It will be natural for the ship's procedures for the carriage of ADR transport units to include routines for the observation of such goods.

⁵ Regulations of 27 April 1999 No. 537 concerning watchkeeping on passenger ships and cargo ships

To section 11 Additional requirements for ro-ro ships without fixed foam fire-extinguishing system

The provision is based on information from the industry regarding which ferries carry dangerous goods, the type of goods carried and the frequency thereof. These rules stipulate that ro-ro ships without fixed foam fire-extinguishing system may, on specified terms, nevertheless carry packaged dangerous goods.

Section 11 first paragraph subparagraph e contains a requirement for carrying on board specified amounts of foam and absorption material. The requirement is a codification of conditions that have been set in order for ferries to be granted exemption for carrying dangerous goods.

To section 12 Carriage of limited quantities of packaged dangerous goods on ro-ro ships

The provision continues section 8 second paragraph of Regulations 2009/1481. The NMA received some comments to the layout of the provision (section 13 of the draft Regulations), and recognise, in light of the provision to be continued, that the draft in this regard had some shortcomings. The provision has been restructured, in line with the suggestion from the Directorate for Civil Protection and Emergency Planning.

To section 13 Carriage of dangerous goods on barges

Barges are, as mentioned, not covered by the scope of application of SOLAS chapter VII. There is, however, a need for rules for the carriage of dangerous goods on barges, and current law has been continued in section 13.

To section 14 Exemptions

Section 14 first paragraph continues SOLAS regulation I/5 subparagraph a within the scope of application of the Regulations. SOLAS chapter I Part A cannot be generally implemented into Norwegian legislation, and is therefore incorporated into individual regulations where appropriate. The provision allows for the possibility to approve other solutions than those that explicitly follow from the wording of SOLAS chapter VII. The provision does not relax the requirements, but allows for the requirements to be satisfied in other ways than as stipulated by the rules. This way, the door is kept open to e.g. the development of new solutions, which were not known at the time when the new Regulations were laid down. The latitude of the provision may be delimited by internationally applicable provisions. For instance, the IGF Code⁶ stipulates that technical requirements cannot be replaced by operational measures.

The second paragraph continues the exemption provision of section 3 of Regulations 2009/1481, with a somewhat different terminology.

It is a condition that an exemption will not compromise on safety and environmental considerations, and that it does not conflict with Norway's international commitments. The provision on exemption is limited to ships engaged on domestic voyages, and will here apply in addition to provisions on exemption found in SOLAS chapter VII and appurtenant Codes.

In the event of ships falling under our international commitments in SOLAS chapter VII, it will not be possible to grant exemptions beyond the openings provided by SOLAS and appurtenant Codes. The same exemptions and exceptions will also apply to ships engaged on domestic voyages, but in this regard Norway is not bound by the same international commitments, and there is thus latitude for further flexibility.

Further information about the contents of the provision

The content of the term "domestic voyages" is connected to the Regulations concerning trade areas⁷ (Trade Area Regulations). Norwegian ships with a trade area laid down in chapter 2 of

⁶ International Code for Ships using Gas or other Low Flash-Point Fuels

⁷ Regulations of 4 November 1981 No. 3793

the Trade Area Regulations (domestic voyages) may be granted exemption pursuant to this provision. Norwegian ships with a trade area laid down in chapter 3 of the Trade Area Regulations (foreign voyages) may nevertheless also be granted exemption pursuant to this provision, but it must in these cases be specified that the exemption only applies for voyages between Norwegian ports. Oil and gas installations on the Norwegian continental shelf are also regarded as Norwegian ports, cf. section 4 of the NIS Act⁸.

It is a condition that the company itself must apply in writing for an exemption. The written application should contain all relevant information and argumentation for an assessment with regard to the criteria that need to be satisfied in order for the NMA to grant such exemption.

The provision stipulates that "the Norwegian Maritime Authority may exempt". In other words, the decision whether to grant an exemption will be to the NMA's discretion. The companies applying for exemption are not legally entitled to have such exemption granted, even if they establish that they satisfy the criteria stipulated by the provision. The starting point is that the requirements of the Regulations shall be met. Only in extraordinary cases, where warranted by valid grounds, will there be an opening for making a decision to exempt.

The criteria that must be met before the NMA may grant an exemption, are meant to be narrow. There are two possibilities for granting exemptions, as stipulated by subparagraphs a and b.

That the requirement is not essential means that the requirement concerned is considered to be less essential when compared to the extraordinary reasons forming the basis for an exemption. During the processing of such applications, it will be natural to take socioeconomic consequences into account. An exemption pursuant to subparagraph a may only be granted if a waiver of the requirement concerned will still provide a solution considered overall justifiable in terms of safety.

The term "compensating measures", cf. second paragraph subparagraph b, is relatively wide, and may include a number of measures, as long as they are considered to maintain the same level of safety as the requirements of the Regulations.

Insofar as there are provisions on exemption in the sets of rules made applicable as regulation, cf. section 5, the provisions will have to be weighed against one another based on common assessments related to sources of law. Reference is for instance made to chapter 7.9 of the IMDG Code.

To section 15 Entry into force

The Regulations enter into force on 15 September 2014, as part of a coordinated entry into force of several new regulations.

Economic and administrative consequences

The Regulations for the most part continue current law. The starting point is that the NMA's legislation shall become more readily available to the users, and that it shall become easier for the industry to locate applicable requirements.

The NMA also surmises that a new and changed structure will make the maintenance of the legislation less resource-demanding for the authorities.

If companies and others have referred to regulations being repealed in their normative documents, they will have to bear the costs of incorporating and updating new references.

Section 11 of the Regulations, which provides for the possibility to carry dangerous goods on ferries without fixed foam fire-extinguishing system, will have no economic and administrative consequences of significance, except that companies will have to apply for

⁸ Act of 12 June 1987 No. 48 relating to a Norwegian International Ship Register (NIS)

exemptions if they wish to expand their right to carry dangerous goods beyond what they quality for pursuant to the requirements of the Regulations. The provisions have been developed in cooperation with the industry, so that today's practice for the carriage of dangerous goods has for the most part been continued. Consequently, the majority of ferries will still be allowed to carry dangerous goods the same way as before. In the very few cases where this is not the case, the NMA will consider granting exemptions pursuant to section 14, so that they may continue to carry dangerous goods. With such a solution, there will be no need for upgrades for operators under current concessions. The provisions will thus not trigger claims for public financing.

As mentioned, the NMA presupposes that competent authorities calling for tenders on concessions in the future, will make sure to include necessary specifications where needed, for example with requirements for fixed foam fire-extinguishing system on routes where it is necessary to carry dangerous goods without the limitations that apply for ships without such systems.

The Norwegian Maritime Authority presupposes that the overall gain of the new Regulations on the carriage of dangerous goods is larger than the associated costs related to their adoption.

Attachment:

Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships

Copy to: Ministry of Trade, Industry and Fisheries

Bjørn Pedersen
Acting Director General of Shipping and Navigation

Linda Bruås
Acting Head of Department

Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships

Legal basis: Laid down by the Norwegian Maritime Authority on 1 July 2014 under the Act of 16 February 2007 No. 9 relating to Ship Safety and Security (Ship Safety and Security Act) sections 6, 12, 13, 19 and 20, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

EEA references: EEA Agreement Annex XIII point 55a (Directive 2009/17/EC and Directive 2011/15/EC).

Chapter 1 Scope of application and general provisions

Section 1 *Scope of application*

These Regulations apply to Norwegian ships, including barges.

Section 2 *Prohibition*

The carriage of dangerous goods on Norwegian ships is prohibited, unless provided otherwise by these or other Regulations laid down under the Ship Safety and Security Act.

Section 3 *Declaration of the dangerous goods*

The master or company shall receive a declaration of the dangerous goods before the goods are taken on board the ship. The declaration shall contain information about:

- a) the correct technical name of the goods, with:
 1. the United Nations (UN) numbers where they exist;
 2. the IMO hazard classes in accordance with the International Maritime Dangerous Goods (IMDG) Code, the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IBC Code), the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code);
- b) the class of the ship required for the cargo by the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code);
- c) the quantities of dangerous goods;
- d) the identification marks of the cargo transport units if the dangerous goods are being carried in cargo transport units other than tanks; and
- e) the emergency numbers of the shipper or any other person or body in possession of information on the physico-chemical characteristics of the products and on the action to be taken in an emergency.

The declaration shall be available on board the ship.

Section 4 *First aid in the event of chemical poisoning and procedures for fire and discharges*

Ships carrying dangerous goods shall have on board the manual "Medical First Aid for Use in Accidents involving Dangerous Goods (MFAG)" (MSC/Circ.857).

Ships carrying packaged dangerous goods shall in addition have procedures for handling fire and discharges that follow the Emergency Response Procedures for Ships Carrying Dangerous Goods (EmS) (MSC/Circ.1025). The procedures shall be followed in the event of fire and discharges.

Chapter 2 Carriage of dangerous goods on ships engaged on foreign voyages

Section 5 *Carriage of dangerous goods on ships engaged on foreign voyages*

For cargo ships and passenger ships engaged on foreign voyages the following shall apply as regulation:

- a) the International Convention for the Safety of Life at Sea, 1974 (SOLAS) consolidated edition 2009, chapter VII, as amended by MSC.269(85);
- b) the International Maritime Dangerous Goods Code (IMDG Code), cf. MSC.122(75) as amended by MSC.157(78), MSC.205(81) and MSC.262(84);
- c) the International Bulk Code (IBC Code), cf. MSC.4(48), as amended by MSC.10(54), MSC.14(57), MSC.16(58), MSC.28(61), MSC.50(66), MSC.58(67) and MSC.219(82);
- d) the International Gas Carrier Code (IGC Code), cf. MSC.5(48), as amended by MSC.17(58), MSC.30(61), MSC.59(67), MSC.103(73) and MSC.220(82); and
- e) the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code), cf. MSC.88(71), as amended by MSC.118(74), MSC.135(76) and MSC.241(83).

Section 6

Carriage of hazardous liquid substances on ships engaged in the offshore petroleum industry

Offshore support vessels which carry limited amounts of hazardous liquid substances in bulk and comply with the IMO Guidelines for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels, cf. A.673(16), as amended by MSC.236(82), need not comply with the requirements of section 5.

Offshore support vessel means:

- a) a vessel primarily engaged in the transport of stores, materials and equipment to and from mobile offshore drilling units or facilities and other similar offshore installations;
- b) vessels, including well stimulation vessels, which are primarily engaged in supporting the operation of offshore installations. Mobile offshore drilling units, crane barges, bybarges or floating living quarters are not offshore support vessels.

Section 7

Chemical tankers and gas carriers constructed before 1 July 1986

Chemical tankers, the keel of which was laid or which were at a similar stage of construction before 1 July 1986, and which comply with the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code) (A.212(VII)), need not comply with the IBC Code.

Gas carriers, the keel of which was laid or which were at a similar stage of construction before 1 July 1986, and which comply with the Code for Existing Ships Carrying Liquefied Gases in Bulk (Gas Code) (A.329(IX)), need not comply with the IGC Code.

Gas carriers, the keel of which was laid or which were at a similar stage of construction before 1 July 1986, and for which the contract for the construction was placed after 31 October 1976, the keel of which was laid or which reached a similar stage of construction after 31 December 1976 or the delivery of which took place after 30 June 1980, and which comply with the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (GC Code) (A.328(IX)), need not comply with the IGC Code.

Chapter 3

Carriage of dangerous goods on ships engaged on domestic voyages and on the Norwegian continental shelf

Section 8

Carriage of dangerous goods on ships engaged on domestic voyages

Section 5 shall apply correspondingly for passenger ships engaged on domestic voyages.

Sections 5 and 7 shall apply correspondingly for cargo ships engaged on domestic voyages.

Section 9

Carriage of packaged dangerous goods on ships engaged in the offshore industry on the Norwegian continental shelf

Offshore support vessels which carry dangerous goods in closed containers to, from and between a Norwegian port and installations on the Norwegian continental shelf, need not comply with the requirements of section 8 second paragraph when they comply with the following requirements:

- a) Requirements for marking:
 - i. The goods shall be carried in closed containers and each parcel shall be marked with a danger note.

- ii. Containers with products classified in accordance with the IMDG Code shall be equipped with a danger note of a minimum size of 10 x 10 cm. The danger note shall be clearly visible to the ship's crew. Marking in accordance with ADR/RID is permitted.
- b) Requirements for documentation:
 - i. The type and quantity of dangerous goods which are carried and where the goods are located shall be specified on a cargo list.
- c) Stowage requirements:
 - i. Containers with dangerous goods shall be stowed in open cargo spaces.
 - ii. Goods which according to the IMDG Code shall be stowed «away from» may be stowed in the same container when the goods cannot cause unwanted reactions and the goods belong to the same hazard class.
 - iii. Goods which according to the IMDG Code shall be stowed «separated from» may be stowed in the same container under the same conditions as in subparagraph ii, if the different goods are separated from each other with a distance of at least three metres.
 - iv. Goods which according to the IMDG Code shall be stowed «separated by a complete compartment or hold from» shall be placed in open cargo spaces in different containers separated from each other with a distance of at least three metres.

The goods shall be packaged in accordance with the IMDG Code, Annex 1 (Packing Recommendations).

Section 10

Carriage of packaged dangerous goods on ro-ro ships engaged on domestic voyages

Ro-ro ships with fixed foam fire-extinguishing system which form a part of the road network in Norway, need not comply with the requirements of section 8 when the ship:

- a) has a maximum of:
 - i. four motor vehicles with or without a trailer attached (ADR transport units) at the same time in open cargo spaces or two ADR transport units in closed cargo spaces; or
 - ii. two ADR transport units carrying flammable liquids in packing group I and II or flammable gases at the same time;
- b) places and separates ADR transport units in an appropriate manner so that the risk of accidents is reduced and emergency measures can be implemented;
- c) has fire and safety equipment appropriate to the various types of dangerous goods carried by the ship; and
- d) stows the ADR transport units in accordance with the stowage plan in Appendix 1.

The goods in the ADR transport units shall be classified, packaged, marked, documented and loaded according to the Regulations of 1 April 2009 No. 384 concerning shore-based transport of dangerous goods.

The ship shall have procedures describing the safety measures to be taken for such transport.

The ADR transport unit shall be placed so that the crew can access the transport unit. The distance to passages, ventilation intakes and life-saving appliances shall be at least three metres.

ADR transport units carrying liquefied refrigerated gas shall be placed so that the safety valve on the tank at all times remains where the gas is in gas phase.

The ADR transport unit shall be kept under observation during the entire crossing.

The transport of substances listed in SP 900 of the IMDG Code is not allowed.

If different dangerous goods are carried in the same ADR transport unit and one of the substances is not allowed according to the stowage plan in Appendix 1 B, the prohibition applies to the entire ADR transport unit.

Section 11

Additional requirements for ro-ro ships without fixed foam fire-extinguishing system

Ro-ro ships without fixed foam fire-extinguishing system which form a part of the road network in Norway, need not comply with the requirements of section 8 when the ship:

- a) has a crossing time from port to port of less than one hour;
- b) has maximum one ADR transport unit on board;
- c) places the ADR transport unit in open ro-ro cargo spaces;
- d) places the ADR transport unit in an appropriate manner so that the risk of accidents is reduced and emergency measures can be implemented;
- e) has at least 100 litres of appropriate foam on cans and at least five sacks of 25 kg non-flammable absorption material which is ready for use during carriage of dangerous goods;
- f) stows the ADR transport unit in accordance with the stowage plan in Appendix 2; and
- g) complies with the requirements of section 10 second to seventh paragraphs.

If different dangerous goods are carried in the same ADR transport unit and one of the substances is not allowed according to the stowage plan in Appendix 2 B, the prohibition applies to the entire ADR transport unit.

Section 12

Carriage of limited quantities of packaged dangerous goods on ro-ro ships

The requirements of section 10 subparagraphs a) and d) and section 11 subparagraphs b), e) and f) shall, however, not apply when the ship carries packaged dangerous goods in accordance with ADR Chapter 3.4 and 3.5, or when the master or company upon receipt of the transport document is notified that the transport satisfies the requirements of ADR 1.1.3.6.

Chapter 4

Barges engaged on foreign and domestic voyages

Section 13

Carriage of dangerous goods on barges

Sections 5 and 7 shall apply correspondingly for barges engaged on foreign and domestic voyages.

Chapter 5

Exemptions and entry into force

Section 14

Exemptions

The Norwegian Maritime Authority may upon written application permit other solutions than those required by these Regulations when it is established that such solutions are equivalent to the requirements of the Regulations.

The Norwegian Maritime Authority may exempt a ship engaged on domestic voyages from one or more of the requirements of the Regulations when the company applies for an exemption in writing and one of the following requirements is met:

- it is established that the requirement is not essential and that the exemption is justifiable in terms of safety; or
- it is established that compensating measures will maintain the same level of safety as the requirement of these Regulations.

Section 15

Entry into force

These Regulations enter into force on 15 September 2014. As from the same date, the Regulations of 8 December 2009 No. 1481 concerning the carriage of dangerous cargoes on Norwegian ships are repealed.

Appendix 1 A

Stowage plans for ADR transport units with packaged dangerous goods of Class 1 according to IMDG and ADR/RID (explosive substances and objects) for ro-ro ships with fixed foam fire-extinguishing system

Stowage requirements pursuant to section 11

IMDG/ADR/RID classification	a) Passenger ships with open ro-ro cargo spaces	b) Passenger ships with closed ro-ro cargo spaces	c) Passenger ships with open ro-ro cargo spaces carrying 12 passengers or less	d) Passenger ships with closed ro-ro cargo spaces carrying 12 passengers or less
1.1A, 1.1B, 1.2B, 1.4B, 1.1F, 1.2F, 1.4F	Not permitted	Not permitted	Permitted	Permitted when stowage areas adjacent to the hull of the ship are not used
1.1C, 1.2C, 1.3C, 1.4C, 1.1D, 1.2D, 1.4D, 1.5D, 1.1E, 1.2E, 1.4E, 1.1G, 1.2G, 1.3G, 1.4G,	Not permitted	Not permitted	Permitted	Permitted

1.6N				
1.2H, 1.3H, 1.1J, 1.2J, 1.3J	Not permitted	Not permitted	Permitted when the net explosives mass on board the ship does not exceed 2.5 tonnes	Permitted when the net explosives mass on board the ship does not exceed 2.5 tonnes
1.1L, 1.2L, 1.3L	Not permitted	Not permitted	Permitted	Not permitted
1.4S	Permitted	Permitted	Permitted	Permitted

Appendix 1 B

Stowage plans for ADR transport units with packaged dangerous goods of Classes 2 to 9 according to IMDG and ADR/RID (non-explosive substances and objects) for ro-ro ships with fixed foam fire-extinguishing system

Stowage requirements pursuant to section 11

IMDG/ADR/RID classes and classification	a) Passenger ships with open ro-ro cargo spaces	b) Passenger ships with closed ro-ro cargo spaces	c) Passenger ships with open ro-ro cargo spaces carrying 25 passengers or less, or a maximum of one passenger per three metres of the vessel's length	d) Passenger ships with closed ro-ro cargo spaces carrying 25 passengers or less, or a maximum of one passenger per three metres of the vessel's length
2. Gases <i>2.1 Flammable gases</i>	Permitted	Not permitted	Permitted	Not permitted
2. Gases <i>2.2 Non-flammable, non-toxic gases</i>	Permitted	Permitted	Permitted	Permitted
2. Gases <i>2.3 Toxic gases</i>	Permitted, with the exception of gases in stowage category "D" of the IMDG Code	Not permitted	Permitted	Permitted, with the exception of gases in stowage category "D" of the IMDG Code
3. Flammable liquids <i>Packing group I or II</i>	Permitted	Not permitted	Permitted	Permitted
3. Flammable liquids <i>Packing group III</i>	Permitted	Permitted	Permitted	Permitted
4. Flammable solids <i>4.1 Flammable substances: UN number 1944, 1945, 2254, 2623</i>	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR
4. Flammable solids <i>4.1 Flammable substances: Other UN numbers</i>	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Not permitted	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Not permitted
4. Flammable solids <i>4.2 Substances liable to spontaneous self-combustion</i>	Permitted	Permitted	Permitted	Permitted
4. Flammable solids <i>4.3 Substances which, in contact with water, emit flammable gases</i>	Permitted. The carriage of ferrosilicon of UN Number 1408 when transported in bulk packaging, in load carriers in road vehicles, tank containers or demountable tanks is	Not permitted	Permitted. The carriage of ferrosilicon of UN Number 1408 when transported in bulk packaging, in load carriers in road vehicles, tank containers or demountable	Not permitted

	allowed only when accompanied by a certificate stating that the material was stowed under cover, but in the open air, and that the particle size is representative of the material stored.		tanks is allowed only when accompanied by a certificate stating that the material was stowed under cover, but in the open air, and that the particle size is representative of the material stored.	
5. Oxidizing substances and organic peroxides <i>5.1 Oxidizing substances</i>	Permitted	Not permitted	Permitted	Permitted
5. Oxidizing substances and organic peroxides <i>5.2 Organic peroxides</i>	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Not permitted	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Not permitted
6. Poisonous (toxic) substances <i>6.1 Packing group I or II</i>	Permitted	Not permitted	Permitted	Not permitted
6. Poisonous (toxic) substances <i>6.1 Packing group III</i>	Permitted	Permitted	Permitted	Permitted
6. Poisonous (toxic) substances <i>6.2 Infectious substances</i>	Not permitted	Not permitted	Permitted	Permitted
7. Radioactive substances	Permitted	Permitted	Permitted	Permitted
8. Corrosives <i>Packing group I or II</i>	Permitted	Not permitted	Permitted	Not permitted
8. Corrosives <i>Liquid substances in packing group III</i>	Permitted	Not permitted	Permitted	Permitted
8. Corrosives <i>Solid substances in packing group III</i>	Permitted	Permitted	Permitted	Permitted
9. Miscellaneous dangerous substances and objects	Permitted	Permitted	Permitted	Permitted

Appendix 2 A

Stowage plans for ADR transport units with packaged dangerous goods of Class 1 according to IMDG and ADR/RID (explosive substances and objects) for ro-ro ships without fixed foam fire-extinguishing system

Stowage requirements pursuant to section 12

IMDG/ADR/RID classification	a) Passenger ships with open ro-ro cargo spaces	b) Passenger ships with open ro-ro cargo spaces carrying 12 passengers or less when the ADR transport unit is placed in an area specially marked for dangerous goods after or forward on the vessel, and when there is a safety zone around the ADR transport unit with a distance of at least three metres to other vehicles
1.1A, 1.1B, 1.2B, 1.4B	Not permitted	Permitted

1.1C, 1.2C, 1.3C, 1.4C, 1.1D, 1.2D, 1.4D, 1.5D, 1.1E, 1.2E, 1.4E, 1.1F, 1.2F, 1.4F, 1.1G, 1.2G, 1.3G, 1.4G, 1.6N		
1.2H, 1.3H 1.1J, 1.2J, 1.3J	Not permitted	Permitted when the net explosives mass on board the ship does not exceed 2.5 tonnes
1.1L, 1.2L, 1.3L	Not permitted	Not permitted
1.4S	Permitted	Permitted

Appendix 2 B

Stowage plans for ADR transport units with packaged dangerous goods of Class 2 to 9 according to IMDG and ADR/RID (non-explosive substances and objects) for ro-ro ships without fixed foam fire-extinguishing system

Stowage requirements pursuant to section 12

IMDG/ADR/RID classes and classification	a) Passenger ships with open ro-ro cargo spaces	b) Passenger ships with open ro-ro cargo spaces carrying 25 passengers or less when the ADR transport unit is placed in an area specially marked for dangerous goods after or forward on the vessel, and when there is a safety zone around the ADR transport unit with a distance of at least three metres to other vehicles
2. Gases	Not permitted	Permitted
3. Flammable liquids <i>Packing group I or II</i>	Not permitted	Permitted
3. Flammable liquids <i>UN number 1203</i>	Permitted when the ADR transport unit is placed in an area specially marked for dangerous goods after or forward on the vessel There shall be a safety zone around the ADR transport unit with a distance of at least three metres to other vehicles	Permitted
3. Flammable liquids <i>Packing group III</i>	Permitted	Permitted
4. Flammable solids <i>4.1 UN number 3221, 3222, 3231 and 3232</i>	Not permitted	Not permitted
4. Flammable solids <i>4.1 Other UN numbers</i>	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR
4. Flammable solids <i>4.2 Substances liable to spontaneous self-combustion: Packing group I and II</i>	Not permitted	Permitted
4. Flammable solids <i>4.2 Substances liable to spontaneous self-combustion: Packing group III</i>	Permitted	Permitted
4. Flammable solids <i>4.3 Substances which, in contact with water, emit flammable gases</i>	Not permitted	Permitted. The carriage of ferrosilicon of UN Number 1408 when transported in bulk packaging, in load carriers in road vehicles, tank containers or demountable tanks is allowed only when accompanied by a certificate stating that the material was stowed under cover, but in the open air, and that the

		particle size is representative of the material stored.
4. Flammable solids <i>4.3 UN number 3170</i>	Permitted when the ADR transport unit is placed in an area specially marked for dangerous goods after or forward on the vessel There shall be a safety zone around the ADR transport unit with a distance of at least three metres to other vehicles	Permitted
5. Oxidizing substances and organic peroxides <i>5.1 Oxidizing substances</i>	Not permitted	Permitted
5. Oxidizing substances and organic peroxides <i>5.2 Organic peroxides: UN number 3101, 3102, 3111 and 3112</i>	Not permitted	Not permitted
5. Oxidizing substances and organic peroxides <i>5.2 Organic peroxides: Other UN numbers</i>	Not permitted	Permitted when the stowage requirements of chapter 7.5 of the IMDG Code are complied with, in addition to the requirements of the ADR
6. Poisonous (toxic) substances <i>6.1 Poisonous (toxic) substances</i>	Not permitted	Permitted
6. Poisonous (toxic) substances <i>6.2 Infectious substances</i>	Not permitted	Permitted
7. Radioactive substances	Permitted	Permitted
8. Corrosives <i>Packing group I</i>	Not permitted	Permitted
8. Corrosives <i>Packing group II and III</i>	Permitted	Permitted
9. Miscellaneous dangerous substances and objects	Permitted	Permitted