



The Swedish Maritime Administration Statute Book

Swedish Maritime Administration
administrative provisions and general
guidance on the carriage of cargo

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The Swedish Maritime Administration lays down^{1,2} the following in pursuance of Sections 2 and 3 of the Order (2003:439) on the loading and unloading of bulk carriers and Chapter 2 Section 4 of the Order (2003:438) on ship safety, and adopts the following general guidance.

Chapter 1. General provisions

Area of application

Section 1³ These administrative provisions shall apply to all ships involved in the carriage of cargo and to Swedish terminals at which bulk carriers call. With the exception of the provisions concerning the carriage of grain, which apply to all ships irrespective of size, the administrative provisions apply to ships of 20 gross tonnage and above. The administrative provisions shall apply to Swedish ships irrespective of service and foreign ships in international service within Swedish territorial waters. The administrative provisions shall not apply to the innocent passage of foreign ships through Sweden's territorial sea. The administrative provisions shall not apply to the carriage of liquid substances in bulk or gases in bulk.

What is stated in the above paragraph shall apply unless specified otherwise in individual chapters.

Definitions

Section 2 Unless specified otherwise, the following definitions shall apply for the purposes of these administrative provisions:

Cf. 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 (OJ L 013, 16.1.2002, p. 9, Celex 32001L0096), most recently amended by Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 amending the Directives on maritime safety and the prevention of pollution from ships (OJ L 324, 29.11.2002, p. 53, Celex 32002L0084).

These provisions have been notified in accordance with Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services (OJ L 204, 21.7.1998, p. 37, Celex 31998L0034), as amended by European Parliament and Council Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18, Celex 31998L0048).

³ Corresponds to SOLAS Regulation VI/1.1.

<i>BLU Code</i>	Code of Practice for the Safe Loading and Unloading of Bulk Carriers, adopted by IMO Resolution A. 862(20), amended by IMO Resolution MSC.238(82).
<i>CSS Code</i>	Code of Safe Practice for Cargo Stowage and Securing, adopted by IMO Resolution A.714(17), amended by IMO circulars MSC/Circ.664, MSC/Circ.691, MSC/Circ.740, MSC/Circ.812, MSC/Circ. 1026.
<i>bracing</i>	(abutment) method of preventing cargo sliding and, if the bracing extends sufficiently high up, also from tipping
<i>IMO</i>	International Maritime Organisation
<i>cargo transport units</i>	vehicles, wagons, containers, crates or similar units designed for transporting goods
<i>Unit load</i>	two or more connected cargo transport units or a vehicle connected to a cargo transport unit
<i>Packaged goods</i>	goods collected in smaller cargo transport units, such as cartons or boxes, free-standing or on open pallets
<i>securing of loads</i>	methods of keeping the cargo in its intended position during transport
<i>cargo shifting</i>	shifting of the cargo during carriage to such an extent that the cargo securing is impaired or there is a risk of injury to persons or damage to cargo, cargo transport units or the ship
<i>interlocking</i>	mechanical securing of cargo so as to prevent it slipping and tipping
<i>grain</i>	wheat, maize, oats, barley, rye, rice, pulses, seeds and processed forms thereof whose behaviour is similar to that of grain in its natural state
<i>Grain Code</i>	International Code for the Safe Carriage of Grain, adopted by IMO Resolution MSC.23(59)
<i>lashing</i>	methods for preventing cargo sliding and tipping
<i>Timber Cargo Code</i>	Code of Safe Practice for Ships Carrying Timber Deck Cargoes, adopted by IMO Resolution A.715(17)

Cargo information

Section 3⁴ The master shall be able to ensure that:

⁴ Corresponds to SOLAS Regulation VI/1.2 and 2.1-2.

1. different types of cargo are compatible with each other and are adequately separated from each other;
 2. the cargo is tailored to the ship; and
 3. the cargo can be loaded, stowed and secured in the required manner.
- The master shall therefore, in good time prior to loading, ensure that he has the necessary information concerning the cargo. For ships of 500 gross tonnage and above, the information shall be provided on a cargo information form. The form may be in digital format.

General guidance

The form should have the appearance set out in Annex 1.

Guidelines indicating what information should be included in the cargo information are given for the relevant cargo in the CSS Code, the Timber Cargo Code, IMO circular MSC/Circ.525⁵, MSC/Circ.548⁶ and IMO Resolution A434(XI)⁷.

Section 4⁸ The cargo information to be included on the form referred to in Section 3 shall include at least the following:

1. In the case of general cargo and of cargo carried in cargo transport units, a general description of the cargo, the gross mass of the cargo or of the cargo transport units and any other relevant special properties of the cargo.
2. In the case of solid bulk cargo, information on the stowage factor of the cargo, stowage methods, likelihood of shifting, including angle of repose and any other relevant special properties of the cargo. In the case of cargo which may condense, additional information in the form of a certificate on the moisture content of the cargo and its transportable moisture limit.
3. In the case of solid bulk cargo that is not classified in accordance with Part 2 of Annex 1 to the Swedish Maritime Administration's administrative provisions (SJÖFS 2005:15) on the transport of packaged dangerous goods by sea (IMDG Code), but which has chemical properties that may create a potential hazard, in addition to the information in points 1 and 2 above, information on its chemical properties.

General guidance

Depending on the quantity and type of cargo, information concerning the cargo should be provided as specified in Sections 3 and 4 also for ships of less than 500 gross tonnage.

Section 5⁹ Prior to loading, where practicable, the master shall ensure that the gross mass of the unit load is in accordance with the mass declared in the shipping documents.

⁵ MSC/Circ.525, Guidance note on precautions to be taken by the masters of ships of below 100 metres in length engaged in the carriage of logs.

⁶ MSC/Circ.548, Guidance note on precautions to be taken by the masters of ships engaged in the carriage of logs.

⁷ Resolution A.434(XI), the Code of safe practice for solid bulk cargoes (BC Code).

⁸ Corresponds to SOLAS Regulation VI/2.2.

⁹ Corresponds to SOLAS Regulation VI/2.3.

Stowage and securing of cargo

Section 6¹⁰ Ships shall be loaded and ballasted so as to retain the ship's seaworthiness throughout the voyage. Cargo that is carried on or below deck shall be loaded, stowed and secured so as

- not to jeopardise the ship's stability or structural integrity;
- to prevent the cargo shifting during the voyage; and
- not to jeopardise the safety of the ship or those on board in any other way.

In connection with dimensioning of the lashing arrangement for all types of cargo, the number, strength and elasticity of the lashings shall be chosen so as to prevent the units from shifting at the designed accelerations.

The level of safety specified in these administrative provisions may need to be increased if extraordinary circumstances so demand.

Section 7¹¹ After loading, a container must not weigh more than the maximum permissible gross weight, which, in accordance with the

Containers Act (1980:152), shall be indicated on the container's Safety Approval Plate.

Cargo Securing Manual

Section 8¹² Ships shall be equipped with a cargo securing manual that is specific to the ship. The manual shall be approved by the Administration of the ship's flag state and be kept up-to-date. As regards Swedish ships, the cargo securing manual and amendments thereto shall be submitted to the Swedish Maritime Administration for approval.

The above paragraph shall not apply to ships used only within area E. The area is defined in Chapter 1 Section 3 of the Order (2003:438) on ship safety. As regards foreign ships with less than 500 gross tonnage, paragraph 1 shall apply only if the Administration of the ship's flag state has not determined otherwise.

Section 9 The cargo securing manual shall contain instructions for the stowing and securing of cargo in accordance with the provisions in IMO circular MSC/Circ.745¹³. The English, Arabic, Chinese, French, Russian and Spanish text of the circular shall have equal validity¹⁴. The English version of the circular is found in *Annex 2* to these administrative provisions.

Section 10¹⁵ When drawing up cargo securing manuals for Swedish ships, depending on the nature of the cargo and the ship, the provisions of the CSS Code, the Timber Cargo Code or the BLU Code shall be followed or another method applied that ensures an equivalent or higher level of safety. The English, Arabic, Chinese, French, Russian and Spanish text of the Codes shall have equal validity. The English versions of the CSS Code, the Timber Cargo Code and the BLU Code are contained in *Annexes 3-5* to these administrative provisions.

¹⁰ Corresponds to SOLAS Regulation VI/5.1-2.

¹¹ Corresponds to SOLAS Regulation VI/5.5.

¹² Corresponds to SOLAS Regulation VI/5.6.

¹³ MSC/Circ.745, Guidelines for the preparation of the cargo securing manual, adopted on 13 June 1996.

¹⁴ The texts in Arabic, Chinese, French, Russian and Spanish can be obtained from the IMO.

¹⁵ Corresponds to SOLAS Regulation VI/1.2 and 5.1-2.

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On application of the CSS Code, a factor (f) for the reduction of general accelerations (a) calculated in accordance with Annex 13 in limited significant wave heights H_s in metres is calculated according to the following formula:

$$f = a * \left(\frac{H_s}{19.6} \right)^{\frac{1}{3}}$$

Section 11 The cargo shall be stowed and secured in accordance with the instructions in the cargo securing manual.

Section 12 The Swedish Maritime Administration may grant exemption from the requirement for a cargo securing manual for Swedish ships where this is reasonable in view of the ship's restricted area of operation or another special circumstance.

Pesticides

Section 13¹⁶ The necessary precautions shall be taken in connection

with the use of pesticides in cargo spaces.

General guidance

When pesticides are used to clean cargo spaces, the guidelines in IMO Recommendations on the safe use of pesticides in ships should be followed.

Oxygen analysis and detection of hazardous gases

Section 14¹⁷ When ships carry solid bulk cargo that may emit hazardous gases or cause oxygen depletion in the cargo space, an instrument that can measure the concentration of oxygen or detect hazardous gases shall be provided on board. The instrument shall be carried together with detailed instructions for its use.

An instrument that is provided on board Swedish ships shall satisfy the requirements in the Swedish Maritime Administration's administrative provisions (SJÖFS 1999:8) on marine equipment.

Crew members shall have a good knowledge of how to use the instrument.

The above provisions shall not apply to foreign ships of less than 500 gross tonnage if the Administration of the ship's flag state has approved another means of ensuring the required level of safety.

¹⁶ Corresponds to SOLAS Regulation VI/4.

¹⁷ Corresponds to SOLAS Regulation VI/3.

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Chapter 2. Securing of cargo in cargo transport units

Section 1¹⁸ This chapter shall apply to ships carrying cargo in cargo transport units. As regards foreign ships, the provisions shall apply in connection with transport from a Swedish port. The carriage of packaged goods that are to be transported on a ship in area E or goods that are to be transported by fixed-route ferry in service on regular ferry routes is not covered by the provisions of this chapter. The area is defined in Chapter 1 Section 3 of the Order (2003:438) on ship safety.

Section 2 Goods transported by fixed-route ferry in service on regular ferry routes are subject to the provisions of the National Transportation Safety Board's administrative provisions (TSVFS 1978:10) on the securing of cargo on vehicles during transport.

Section 3 The Swedish Maritime Administration may grant exemption from the application of the provisions of this chapter if there are particular grounds for this.

Section 4 Cargo in cargo transport units shall be secured by means of interlocking, bracing or lashing, by a combination of these cargo securing methods or by other means to the extent required to prevent shifting of the cargo.

Section 5 Interlocking, lashing and bracing devices as well as other securing apparatus shall be designed so that they can effectively absorb the forces that arise as a result of accelerations during transport by sea. Only undamaged equipment of satisfactory quality may be used to secure cargo.

General guidance

Cargo securing equipment for securing cargo in cargo units should be marked either with the maximum securing load (MSL) or its breaking load (MBL).

Section 6 In the case of bracing, the total free space between each goods unit and between goods units and side members or corresponding longitudinal bracing shall not exceed 15 cm. In connection with the bracing of heavy, rigid goods, the free space shall be kept to a minimum.

Section 7 Cargo securing arrangements for securing cargo in cargo transport units shall be designed in accordance with the accelerations given in *Annex 6* and the friction coefficients and safety factors given in *Annex 7* to these administrative provisions.

General guidance

The cargo securing arrangement should be set up in accordance with:

1. IMO/ILO/UN ECE "Guidelines for packing of cargo transport units (CTUs)",

2. the section "Quick lashing guidelines for transportation on road and sea in areas A, B & C" in the IMO working book "Safe packing of cargo transport units", or

¹⁸ Corresponds to SOLAS Regulation VI/5.2.

3. *The (Transport Trades) Vocational and Training and Working Environment Council's ready-reckoner "Lastsäkring vid transport på landsväg och Lastsäkring i lastbärare för sjötransporter på Nordsjön [B] och Nordatlanten [C]" [The securing of cargo in connection with transport by road and the securing of cargo in cargo transport units for transport by sea in the North Sea [B] and North Atlantic [C]].*

Cargo transport units that are transported from a Swedish port should be accompanied by a cargo securing certificate issued by the party who carried out the loading, confirming that the cargo is secured in accordance with these administrative provisions.

Chapter 3. Loading and unloading of and stowage on board bulk carriers¹⁹

Section 1²⁰ This chapter shall apply to all bulk carriers, irrespective of size, and other ships of 500 gross tonnage and above carrying solid bulk cargo and calling at a terminal for the loading or unloading of solid bulk cargoes, irrespective of their flag; it shall also apply to all terminals visited by such bulk carriers.

Section 2 Basic provisions are found in the Act (2003:367) on the loading and unloading of bulk carriers.

Exemptions

Section 3 This chapter shall not apply to ships carrying grain or to terminals that are used only in exceptional circumstances for the loading and unloading of solid bulk cargoes.

Section 4²¹ By way of derogation from the requirements concerning

a quality management system in Section 6 point 5 of the Act (2003:367) on the loading and unloading of bulk carriers, a temporary authorisation to operate the loading and unloading of bulk carriers, valid for not more than 12 months, may be granted for newly established terminals. The terminal must however demonstrate its plan to implement the system.

¹⁹ Partly corresponds to Directive 2001/96/EC of the European Parliament and of the Council establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers, most recently amended by Directive 2002/84/EC of the European Parliament and of the Council.

²⁰ Corresponds to Article 2 of Directive 2001/96/EC and SOLAS Regulation VI/Part B.

²¹ Corresponds to Article 6 of Directive 2001/96/EC.

Definitions

Section 5²² The following definitions are used for the purposes of this chapter:

<i>1974 SOLAS Convention</i>	the International Convention for the Safety of Life at Sea and its associated protocol and amendments, as amended
<i>shipper</i>	person who enters into a contract concerning the carriage of goods with a carrier or in whose name or on whose behalf such a contract is entered into
<i>competent authority:</i>	a national, regional or local public authority in a Member State empowered by national legislation to implement and enforce the requirements of Directive 2001/96/EC of the European Parliament and of the Council establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers ²³ , most recently amended by Directive 2002/84/EC of the European Parliament and of the Council ²⁴
<i>bulk carrier</i>	<ul style="list-style-type: none">- a ship constructed with a single deck, top-side tanks and hopper-side tanks in cargo spaces and intended primarily to carry solid cargo in bulk, or- an ore carrier, meaning a 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- a combination carrier as defined in Regulation II-2/3.14 of the 1974 SOLAS Convention
<i>solid bulk cargo</i>	as defined in Regulation XII/1.4 of the 1974 SOLAS Convention, excluding grain as defined in Regulation VI/8.2 of the 1974 SOLAS Convention
<i>cargo information</i>	the cargo information required by Chapter 1 Sections 3 and 4
<i>terminal</i>	any fixed, floating or mobile facility equipped and used for the loading or unloading of solid bulk cargoes into or from bulk carriers

²² Corresponds to Article 3 of Directive 2001/96/EC.

²³ OJ L 013, 16.1.2002, p. 9 (Celex 32001L0096).

²⁴ OJ L 324, 29.11.2002, p. 53 (Celex 32002L0084).

terminal operator the owner of a terminal or the natural or legal person to whom the owner has transferred the responsibility for loading and unloading operations conducted at the terminal for a particular bulk carrier

terminal representative any person appointed by the terminal operator, who has the overall responsibility for, and authority to, control the loading or unloading of a particular bulk carrier

Requirements in relation to the operational suitability of ships

Section 6²⁵ In order to be deemed suitable for the loading and unloading of solid bulk cargoes, **Requirements in relation to the suitability of terminals**

Section 7²⁶ In order to be deemed suitable for the loading and unloading of solid bulk cargoes, terminals shall satisfy the requirements in *Annex 9*.

Responsibilities of terminal operators

Section 8²⁷ The information booklet for which the terminal operator is responsible under Section 6 point 4 of the Act (2003:367) on the loading and unloading of bulk carriers shall contain the relevant port and terminal information specified in *Annex 10*.

Section 9 The quality management system for which the terminal operator is responsible under Section 6 point 5 of the Act (2003:367) on the loading and unloading of bulk carriers shall be certified pursuant to ISO standard 9001:2000 or an equivalent standard that sets at least the same requirements and is supervised in accordance with the guidelines in ISO standard 10011:1991 or an equivalent standard that sets the same requirements.

Responsibilities of the master

Section 10²⁸ The information that is to be provided by the master pursuant to Section 7 point 2 of the Act (2003:367) on the loading and unloading of bulk carriers is listed in *Annex 11*.

Section 11 The information to be given to the master pursuant to Section 7 point 3 of the Act (2003:367) on the loading and unloading of bulk carriers shall be provided on a cargo information form as set out in *Annex 1*.

Section 12 Prior to starting to handle cargo and during loading and unloading, the master shall discharge the duties listed in *Annex 12*.

²⁵ Corresponds to Article 4 of Directive 2001/96/EC.

²⁶ Corresponds to Article 5 of Directive 2001/96/EC.

²⁷ Corresponds to Article 7.2 of Directive 2001/96/EC.

²⁸ Corresponds to Article 7.1 of Directive 2001/96/EC.

Responsibilities of the terminal representative

Section 13²⁹ When the terminal receives the ship's initial notification of its estimated time of arrival, the terminal representative shall ensure that the master receives the information mentioned in *Annex 13*.

Section 14³⁰ The terminal representative shall be satisfied that the master has been advised as early as possible of the information contained on the cargo declaration form.

Section 15³¹ Prior to starting to handle cargo and during loading or unloading, the terminal representative shall discharge the duties listed in *Annex 14*.

The procedure in connection with loading and unloading

Section 16³² A loading and unloading plan shall contain the IMO number of the bulk carrier concerned and be signed by the master and terminal representative.

The plan shall be drawn up as set out in *Annex 15*. Any change to the plan, which according to either party may affect the safety of the ship or crew, shall be prepared and approved by both parties in the form of a revised plan.

Section 17 The agreed loading or unloading plan and any agreed revisions shall be kept available at the terminal for three years for the purpose of any necessary verification by the competent authorities.

Section 18³³ Before loading or unloading is commenced, the ship/shore safety checklist, *Annex 16*, shall be completed and signed jointly by the master and the terminal representative in accordance with the guidelines in *Annex 17*.

Section 19³⁴ Communication shall be established between the ship and the terminal and be maintained throughout the cargo handling process:

- for the exchange of information, and
- to ensure that it is possible for loading or unloading operations to be suspended immediately on the order of the master or terminal representative.

Section 20³⁵ The master and terminal representative shall conduct the loading or unloading operations in accordance with the agreed loading or unloading plan. The terminal representative shall be responsible for ensuring that the loading or unloading is carried out in accordance with the hold order, quantity and rate of loading or unloading stated in the plan.

²⁹ Corresponds to Article 7.2(a) of Directive 2001/96/EC.

³⁰ Corresponds to Article 7.2(b) of Directive 2001/96/EC.

³¹ Corresponds to Article 7.2(d) of Directive 2001/96/EC.

³² Corresponds to Article 8.1 of Directive 2001/96/EC.

³³ Corresponds to Article 8.2 of Directive 2001/96/EC.

³⁴ Corresponds to Article 8.3 of Directive 2001/96/EC.

³⁵ Corresponds to Article 8.4 of Directive 2001/96/EC.

The terminal representative must not deviate from the agreed plan, other than by prior consultation and written agreement with the master.

Section 21³⁶ On completion of the loading or unloading, the master and the terminal representative shall agree in writing that the loading or unloading has been done in accordance with the plan, including any agreed changes. In the case of unloading, such agreement shall also include

- a record that the cargo holds have been emptied and cleaned to the master's requirements
- details of any damage suffered by the ship, and
- any repairs carried out.

Chapter 4. Carriage of grain

Section 1³⁷ This chapter applies to Swedish ships carrying grain and foreign ships carrying grain within Swedish territorial waters, irrespective of size.

Section 2³⁸ A ship carrying grain as cargo shall comply with the provisions of the International Grain Code. The English, Arabic, Chinese, French, Russian and Spanish text of the International Grain Code shall have equal validity. The English version of the Code is found in *Annex 18* to these administrative provisions.

Section 3³⁹ A ship shall have a document of authorisation as required by the International Grain Code. A ship without such a document shall not load grain until the Swedish Maritime Administration or a competent authority in the country of loading is satisfied that the ship can be assumed to comply with the International Grain Code in its loaded condition.

Provisions concerning entry into force

1. This statute shall enter into force on 1 April 2008.
2. This statute rescinds the following statutes:
 - the Swedish Maritime Administration's Decree (1973:A14) on the stowage and securing of containers on deck on ships that are not specially equipped for container transport,
 - the Swedish Maritime Administration's administrative provisions (SJÖFS 2001:2) on the securing of cargo,
 - the Swedish Maritime Administration's administrative provisions (SJÖFS 2003:10) on the loading and unloading of bulk carriers, and
 - the Swedish Maritime Administration's administrative provisions and general guidance (SJÖFS 2003:14) on the securing of cargo in cargo transport units on board ships.

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³⁶ Corresponds to Article 8.5 of Directive 2001/96/EC.

³⁷ Corresponds to SOLAS Regulation VI/9.

³⁸ Corresponds to SOLAS Regulation VI/9.

³⁹ Corresponds to SOLAS Regulation VI/9.1-2.

⁴⁰ 1973:A14, SJÖFS 2001:2, SJÖFS 2003:10 and SJÖFS 2003:14 can be invalidated.

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Impact assessment – the Swedish Maritime Administration’s administrative provisions on the carriage of cargo

Reason for the draft

SOLAS Chapter VI on the carriage of cargoes has not been fully transposed into Swedish law. The chapter includes rules concerning cargo information, the cargo securing manual, oxygen analysis and instruments for detecting gases, the use of pesticides in cargo spaces, loading, unloading and stowage of cargo, special rules for bulk carriers and the carriage of grain. The chapter applies to all ships, except ships carrying liquids in bulk and gases in bulk. There is therefore a need to introduce those provisions that are not included in Swedish law and, in connection with this, to review the existing provisions in order to increase their usability and the systematic arrangement in this area. The aim of this regulation is therefore to combine the rules concerning the carriage of cargoes in one regulation and to include those rules that are lacking in the rules currently in force.

Existing provisions

The loading and unloading of bulk carriers

The Act (2003:367) on the loading and unloading of bulk carriers, the Order (2003:439) on the loading and unloading of bulk carriers and the Swedish Maritime Administration’s administrative provisions (SJÖFS 2003:10) on the loading and unloading of bulk carriers contain, apart from rules concerning authorisation and supervision, rules on the responsibilities of terminal operators, masters and terminal representatives, the procedure in connection with loading and unloading, damage incurred in connection with loading and unloading and liability provisions.

The Act, Order and administrative provisions include only some of the provisions on the carriage of bulk cargoes contained in SOLAS Chapter VI. The explanation for this is that these statutes transpose an EC Directive on the loading and unloading of bulk carriers, and the scope of the EC Directive is narrower than the section in SOLAS governing the carriage of bulk cargoes. The Act thus applies to all *bulk carriers*, except when loading and unloading is carried out using the bulk carrier’s own equipment. Bulk carrier is defined in the Act as:

Postal address
601 78
NORRKÖPING,
Sweden

Visiting address
Östra Promenaden
7

Fax +46
(0)11-23 99
34

E-mail
inspektion@
sjofartsverke
t.se

Telephone + 46
(0)11-19 10 00

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1. A ship constructed with a single deck, top-side tanks and hopper-side tanks in cargo spaces and intended primarily to carry solid bulk cargoes, or
2. 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
3. A combination carrier as defined in Regulation II-2/3.27 of the 1974 SOLAS Convention

The provisions in SOLAS Chapter VI apply to *all* ships carrying solid bulk cargoes, not only bulk carriers, and therefore the provisions concerning application in the proposed administrative provisions have been extended accordingly.

Provisions concerning the securing of cargo in and from cargo transport units

The Swedish Maritime Administration has three regulations in force which include the provisions of SOLAS Chapter VI to a certain extent:

- the Swedish Maritime Administration's administrative provisions (SJÖFS 2001:2) on the securing of cargo: this regulation applies to ships carrying cargo other than bulk cargo and frequenting Swedish ports. The regulation does not apply to ships used only within area E. It contains rules stating that ships shall have a cargo securing manual and that the cargo on board shall be stowed and secured in accordance with the instructions in said manual.
- the Swedish Maritime Administration's administrative provisions and general guidance (SJÖFS 2003:14) on the securing of cargo in cargo transport units on board ships: This regulation applies to all ships carrying cargo in cargo transport units on ships from Swedish ports and carrying cargo in cargo transport units on board Swedish ships engaged in other services. The regulation does not apply to the carriage of packaged goods within area E or to goods carried by fixed-route ferry. The regulation contains rules concerning the securing of cargo in cargo transport units and refers to the above regulation (SJÖFS 2001:2) with regard to the securing of cargo transport units on board.
- the Swedish Maritime Administration's Decree 1973:A14 on the stowage and securing of containers on deck on ships that are not specially equipped for container transport: The Decree applies to Swedish ships.

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Regulation missing in Swedish law in relation to SOLAS Chapter VI

Those provisions that are missing and that will therefore be introduced by the proposed administrative provisions are as follows:

1. Requirement for the master to ensure that a completed form containing information on the cargo is found on all ships of 500 gross tonnage and above carrying cargo.
2. There shall be an instrument that can measure the oxygen concentration and detect hazardous gases on board ships carrying solid bulk cargoes where there is a risk of them depleting the oxygen content or evolving such gases. The instrument shall be wheel-marked in accordance with the Swedish Maritime Administration's administrative provisions (SJÖFS 1999:8) on marine equipment and the crew shall have a good knowledge of such instrument(s).
3. In connection with the use of pesticides in cargo spaces, a recommendation to follow the IMO's rules concerning such use is introduced. This will apply to all ships of 20 gross tonnage and above carrying cargo.
4. Those ships carrying solid bulk cargoes that would not be considered to be "bulk carriers" according to the description above and which have a gross tonnage of 500 and above will be subject to the rules concerning loading and unloading of bulk carriers. This involves, among other things, a requirement to draw up a loading and unloading plan and to complete a check list in connection with loading operations.

The format of the proposed administrative provisions and their entry into force

The administrative provisions will gather (and rescind) the existing provisions (1973:A14, SJÖFS 2001:2, SJÖFS 2003:10, SJÖFS 2003:14) into one combined regulation. They will also include the previously unregulated areas in SOLAS Chapter VI. The planned date of entry into force of the administrative provisions is 1 April 2008.

Anticipated impact

The anticipated impact of the administrative provisions is primarily an improvement in the level of safety with regard to the handling of cargo as a result of the creation of rules concerning cargo information, oxygen concentration meters and the use of pesticides in cargo spaces on board. There should be a greater chance of improved compliance with the rules as a result of the rules being more user friendly and providing increased personal safety.

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Affected parties

All Swedish ships and ships calling at Swedish ports having a gross tonnage of 20 and above will be covered to a greater or lesser extent depending on the form of the cargo they are carrying.

What administrative, practical or other measures will result from the regulation?

It will involve the following:

1. The master shall ensure that a completed form containing information on the cargo is found on ships of more than 500 gross tonnage carrying cargo.
2. On board ships carrying solid bulk cargoes which pose a risk of depleting the oxygen content or of evolving hazardous gases there shall be a wheel-marked oxygen and gas detection instrument that the crew are familiar with.
3. With regard to the carriage of solid bulk cargoes for ships of more than 500 gross tonnage, a loading and unloading plan shall be drawn up and a check list shall be completed in connection with loading operations.

Particular effects on small businesses

The proposed administrative provisions will in principle affect small businesses in the same way as they will affect large ones. It can be pointed out that the purchase of oxygen and gas detection instruments will probably be more noticeable in financial terms for smaller shipping companies that carry solid bulk cargoes.

How much time will the rules take up?

The rules will require time for:

- preparation of the cargo information form,
- acquisition of both instruments and training in how to operate them to measure oxygen concentration, etc.,
- drawing up a loading and unloading plan and completing a check list in connection with the carriage of bulk cargoes.

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What costs will the rules involve?

Ships carrying sold bulk cargo will need to purchase an instrument that can measure oxygen concentration and detect hazardous gases. The cost of such a purchase, per unit, is estimated to be around SEK 5 000 + VAT. In addition to this there may be costs for testing and calibration equipment, where applicable, as well as training.

How will the rules affect competition?

The rules apply to all ships depending on what cargo they carry.

How is compliance with the rules supervised?

Compliance with the rules is supervised primarily by the Swedish Maritime Administration's approval of cargo securing manuals. The impact will also be measured at port state controls or other necessary inspections.

Should the regulations apply only for a limited time in order to avoid any negative effects?

No.

Should particular account be taken of companies with regard to the date of the entry into force of the rules?

No.

Is there a need for special information campaigns?

As the provisions are to a large extent already applied in practice, it is only necessary to provide a limited amount of information concerning the newly introduced provisions as indicated above.

Resource requirements

The new provisions will not entail any increased resource requirements for the Swedish Maritime Administration.

Environment

The effect of the new administrative provisions will probably be positive from an environmental perspective, primarily because they may entail an increased level of safety with regard to the handling of cargo and because of the possibility of improved compliance with existing provisions as a result of the rules being more user friendly.

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