

第 16/2018 號行政長官公告**Aviso do Chefe do Executivo n.º 16/2018**

國際海事組織海上安全委員會於二零一四年五月二十二日透過第MSC.369 (93) 號決議通過了《國際散裝運輸危險化學品船舶構造與設備規則》(《國際散化規則》) 修正案, 該修正案於二零一六年一月一日在國際法律秩序上生效, 包括對中華人民共和國及澳門特別行政區生效;

基於此, 行政長官根據第3/1999號法律《法規的公佈與格式》第五條(一) 項和第六條第一款的規定, 命令公佈包含上指修正案的MSC.369 (93) 號決議的中文及英文正式文本。

上指《國際散化規則》已透過第30/2014號行政長官公告公佈於二零一四年八月二十二日第三十四期《澳門特別行政區公報》第二組第二副刊。

二零一八年三月十五日發佈。

行政長官 崔世安

Considerando que, em 22 de Maio de 2014, o Comité de Segurança Marítima da Organização Marítima Internacional, através da sua resolução MSC.369(93), adoptou emendas ao Código Internacional para a Construção e Equipamento de Navios que Transportam Substâncias Químicas Perigosas a Granel (Código IBC), e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau, em 1 de Janeiro de 2016;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), a resolução MSC.369(93) que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa.

O *supra* mencionado Código IBC encontra-se publicado, através do Aviso do Chefe do Executivo n.º 30/2014, no *Boletim Oficial da Região Administrativa Especial de Macau* n.º 34, II Série, 2.º Suplemento, de 22 de Agosto de 2014.

Promulgado em 15 de Março de 2018.

O Chefe do Executivo, *Chui Sai On*.

第 MSC.369 (93) 號決議

2014 年 5 月 22 日通過

《國際散裝運輸危險化學品船舶構造與設備規則》 (《國際散化規則》) 修正案

海上安全委員會，

憶及《國際海事組織公約》關於本委員會職能的第二十八條第(二)款，

注意到第 MSC.4 (48) 號決議，本委員會以它通過了《國際散裝運輸危險化學品船舶構造與設備規則》(以下稱“《國際散化規則》”)；根據《1974 年國際海上人命安全公約》(《安全公約》)(以下稱“該公約”)第 VII 章，該規則具有強制性，

還注意到該公約關於《國際散化規則》修正程序的第 VIII (b) 條和第 VII/8.1 條，

在其第九十三屆會議上，審議了按照該公約第 VIII (b) (i) 條提出和分發的《國際散化規則》修正案，

1. 按照該公約第 VIII (b) (iv) 條，通過《國際散化規則》修正案，其文本載於本決議之附件；
2. 按照該公約第 VIII (b) (vi) (2) (bb) 條，決定該修正案將在 2015 年 7 月 1 日視為被接受，除非在此日期之前，有三分之一以上

的該公約締約國政府或其合計商船隊佔世界商船隊總噸位不少於50%的締約國政府表示反對該修正案；

3. 請《安全公約》締約國政府注意，按照該公約第 VIII (b) (vii) (2) 條，該修正案在按照上述第 2 段被接受後，將於 2016 年 1 月 1 日生效；

4. 要求秘書長遵照該公約第 VIII (b) (v) 條，將本決議及其附件中的修正案文本的核證無誤副本分發給該公約的所有締約國政府；

5. 還要求秘書長將本決議及其附件的副本分發給非該公約締約國政府的本組織會員國。

附件

《國際散裝運輸危險化學品船舶構造與設備規則》

（《國際散化規則》）修正案

第1章－總則

- 1 新增第1.3.37和1.3.38項如下：

“1.3.37 驅氣係指使惰性氣體進入已經處於惰化狀態的液艙，目的是進一步減少氧氣含量；和（或）將現有碳氫或其他易燃蒸氣含量減少至這樣一個水平，即當含量低於該水平時如使空氣隨後進入液艙，將無法支持燃燒。

1.3.38 除氣係指為使有害氣體或蒸氣濃度降至可安全進入液艙的水平，使用便攜式或固定式通風系統使新鮮空氣進入液艙的過程。”

第2章－船舶殘存能力和液貨艙位置

2.2－乾舷和完整穩性

- 2 第2.2款的標題修正如下：

“乾舷和穩性”

- 3 新增第2.2.6項如下：

“2.2.6 所有受本規則約束的船舶，須配備能進行完整和破損

穩性要求的符合性驗證的、經主管機關參照本組織建議的性能標準認可的穩性儀：

- .1 2016年1月1日以前建造的船舶須在2016年1月1日或以後但不遲於2021年1月1日的初次計劃換證檢驗時符合本要求；
- .2 儘管有2.2.6.1的要求，對於2016年1月1日以前建造的船舶上配備的穩性儀，如能進行完整和破損穩性的符合性驗證並令主管機關滿意，則不必替換；和
- .3 就《防污公約》附則II第16條的監督而言，主管機關應簽發一份穩性儀的認可文件。

4 新增第2.2.7項如下：

“2.2.7 主管機關可對下列船舶免除第2.2.6項的要求，但用於完整和破損穩性驗證的方法維持的安全程度應與按經批准工況進行裝載的安全程度相同。任何此類免除應在第1.5.4項所述的國際適裝證書上適當註明：

- .1 從事專門業務的船舶，若其裝載改變量有限，以至於所有預計的裝載工況已在按照第2.2.5項提供給船長的穩性資料中經過批准；
- .2 用主管機關認可的方法進行遠程穩性驗證的船舶；
- .3 在批准的裝載工況範圍內裝載的船舶；或
- .4 2016年1月1日以前建造的、具有涵蓋一切適用的完整和破損穩性要求的經批准的限制性KG/GM曲線的船舶。

第8章－液貨艙透氣和除氣裝置

5 在第8.1.5項中，提及“《安全公約》第II-2/4.5.3和4.5.6條”由提及“《安全公約》第II-2/4.5.3、4.5.6和16.3.2條”替代。

6 新增第8.5款如下：

“8.5 液貨艙驅氣

當第11.1.1項要求使用惰性氣體時，在除氣之前，液貨艙須通過排氣管使用惰性氣體驅氣，排氣管的橫截面積應為：當同時向任何三個液貨艙供給惰性氣體時，排氣速度至少保持在20m/s。其出口須高出甲板之上至少2m。驅氣須持續至液貨艙內的碳氫或其他可燃蒸氣的濃度減少至容積的2%以內。”

7 現有第8.5款以及第8.5.1、8.5.2和8.5.3項分別重新編號為第8.6款以及第8.6.1、8.6.2和8.6.3項。在重新編號的第8.6.2和8.6.3項中，提及“8.5.1”、“8.5.1.2”和“8.5.1.3”分別由“8.6.1”、“8.6.1.2”和“8.6.1.3”替代。

第9章－環境控制

8 第9.1.3項的開首語由如下文字替代：

“9.1.3 當本規則第17章h欄要求對液貨艙採用惰化法或隔絕法時：”

第11章 – 防火與滅火

9 第11.1.1.1目由如下文字替代：

“11.1.1.1 第10.8和10.9條不適用；”

第15章 – 特殊要求

10 第15.13.5項由如下文字替代：

“15.13.5 當載運含有需氧型抑制劑的貨品時：

- .1 對於根據經修正的《安全公約》第II-2/4.5.5條要求惰化的船舶，不得在裝載前或航行中使用惰性氣體、而須在開始卸載前使用惰性氣體；
- .2 對於經修正的《安全公約》第II-2/4.5.5條不適用的船舶，貨品可在無惰化的情況下載運（液艙的總尺寸不大於3,000m³）。如在該船上進行惰化，則不得在裝載前或航行中使用惰性氣體、而須在開始卸載前使用惰性氣體。”

第17章 – 最低要求一覽表

11 對“液貨艙環境控制（h欄）”的註釋由如下內容替代：

| | | |
|------------------|----------------|----------------------|
| “液貨艙環境控制 (h欄) | <i>Inert</i> : | 惰性法 (9.1.2.1) |
| | <i>Pad</i> : | 用液體或氣體作隔絕法 (9.1.2.2) |
| | <i>Dry</i> : | 乾燥法 (9.1.2.3) |

- Vent : 自然或強力通風法 (9.1.2.4)
- No : 本規則無特殊要求 (《安全公約》可能要求惰性法) ”

適裝證書

12 第6款由如下文字替代：

“6 船舶必須：

- .1* 僅按照被驗證為符合完整和破損穩性要求的裝載工況進行裝載，該驗證須使用按照本規則第2.2.6目配備的經認可的穩性儀；
- .2* 如給予本規則第2.2.7目允許的免除並且未配備本規則第2.2.6目要求的經認可的穩性儀，須按照以下一種或多種經認可方法進行裝載：
 - (i)* 按照經認可的裝載手冊所述的裝載工況，蓋章並註明日期.....並由主管機關的負責人或主管機關認可的組織的負責人簽字；或
 - (ii)* 按照使用經認可的方法.....遠程驗證的裝載工況；或
 - (iii)* 按照上述(i)提及的經認可的裝載手冊中界定的經批准工況範圍內的裝載工況；或
 - (iv)* 按照使用上述(i)提及的經認可的裝載手冊所界定的經批准的臨界KG/GM數據所驗證的裝載工況；

.3* 按照本證書所附的裝載限制進行裝載。

如要求不按照上述指導裝載船舶，則須將能證明提議的裝載工況合理性的必要計算資料提交發證主管機關，主管機關可書面授權採用所提議的裝載工況。

* 酌情刪去。”

RESOLUTION MSC.369(93)
(adopted on 22 May 2014)

**AMENDMENTS TO THE INTERNATIONAL CODE FOR THE
CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING
DANGEROUS CHEMICALS IN BULK (IBC CODE)**

THE MARITIME SAFETY COMMITTEE,

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

NOTING resolution MSC.4(48), by which it adopted the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (hereinafter referred to as "the IBC Code"), which has become mandatory under chapter VII of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the Convention"),

NOTING ALSO article VIII(b) and regulation VII/8.1 of the Convention concerning the procedure for amending the IBC Code,

HAVING CONSIDERED, at its ninety-third session, amendments to the IBC Code proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the IBC Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments shall be deemed to have been accepted on 1 July 2015 unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3 INVITES Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2016 upon their acceptance in accordance with paragraph 2 above;

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

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

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CODE FOR THE
CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING
DANGEROUS CHEMICALS IN BULK (IBC CODE)****Chapter 1 – General**

1 New paragraphs 1.3.37 and 1.3.38 are added as follows:

"1.3.37 *Purging* means the introduction of inert gas into a tank which is already in an inert condition with the object of further reducing the oxygen content; and/or reducing the existing hydrocarbon or other flammable vapours content to a level below which combustion cannot be supported if air is subsequently introduced into the tank.

1.3.38 *Gas-freeing* means the process where a portable or fixed ventilation system is used to introduce fresh air into a tank in order to reduce the concentration of hazardous gases or vapours to a level safe for tank entry."

Chapter 2 – Ship survival capability and location of cargo tanks**2.2 – Freeboard and intact stability**

2 The title of section 2.2 is amended to read:

"Freeboard and stability"

3 A new subparagraph 2.2.6 is added as follows:

"2.2.6 All ships, subject to the Code, shall be fitted with a stability instrument, capable of verifying compliance with intact and damage stability requirements, approved by the Administration having regard to the performance standards recommended by the Organization:

- .1 ships constructed before 1 January 2016 shall comply with this requirement at the first scheduled renewal survey of the ship on or after 1 January 2016 but not later than 1 January 2021;
- .2 notwithstanding the requirements of 2.2.6.1, a stability instrument fitted on a ship constructed before 1 January 2016 need not be replaced provided it is capable of verifying compliance with intact and damage stability, to the satisfaction of the Administration; and
- .3 for the purposes of control under regulation 16 of MARPOL Annex II, the Administration shall issue a document of approval for the stability instrument.

4 A new subparagraph 2.2.7 is added as follows:

"2.2.7 The Administration may waive the requirements of paragraph 2.2.6 for the following ships provided the procedures employed for intact and damage stability verification maintain the same degree of safety, as being loaded in accordance with the approved conditions. Any such waiver shall be duly noted on the International Certificate of Fitness referred to in paragraph 1.5.4:

- .1 ships which are on a dedicated service, with a limited number of permutations of loading such that all anticipated conditions have been approved in the stability information provided to the master in accordance with the requirements of paragraph 2.2.5;
- .2 ships where stability verification is made remotely by a means approved by the Administration;
- .3 ships which are loaded within an approved range of loading conditions; or
- .4 ships constructed before 1 January 2016 provided with approved limiting KG/GM curves covering all applicable intact and damage stability requirements.

Chapter 8 – Cargo tank venting and gas-freeing arrangements

5 In paragraph 8.1.5, the references to "SOLAS regulations II-2/4.5.3 and 4.5.6" are replaced by references to "SOLAS regulations II-2/4.5.3, 4.5.6 and 16.3.2".

6 A new paragraph 8.5 is inserted as follows:

"8.5 Cargo tank purging

When the application of inert gas is required by 11.1.1, before gas-freeing, the cargo tanks shall be purged with inert gas through outlet pipes with cross-sectional area such that an exit velocity of at least 20 m/s can be maintained when any three tanks are being simultaneously supplied with inert gas. The outlets shall extend not less than 2 m above the deck level. Purging shall continue until the concentration of hydrocarbon or other flammable vapours in the cargo tanks has been reduced to less than 2% by volume."

7 The existing paragraph 8.5 and subparagraphs 8.5.1, 8.5.2 and 8.5.3 are renumbered as paragraph 8.6 and subparagraphs 8.6.1, 8.6.2 and 8.6.3, respectively, and, in the renumbered paragraphs 8.6.2 and 8.6.3 the referenced paragraph numbers "8.5.1", "8.5.1.2" and "8.5.1.3" are replaced with "8.6.1", "8.6.1.2" and "8.6.1.3", respectively.

Chapter 9 – Environmental control

8 The chapeau of paragraph 9.1.3 is replaced by the following:

"9.1.3 Where inerting or padding of cargo tanks is required by this Code in column "h" of chapter 17:"

Chapter 11 – Fire protection and fire extinction

9 Subparagraph 11.1.1.1 is replaced by the following:

"11.1.1.1 Regulations 10.8 and 10.9 shall not apply;"

Chapter 15 – Special requirements

10 Paragraph 15.13.5 is replaced by the following:

"15.13.5 When a product containing an oxygen-dependent inhibitor is to be carried:

- .1 in a ship for which inerting is required under SOLAS regulation II-2/4.5.5, as amended, the application of inert gas shall not take place before loading or during the voyage, but shall be applied before commencement of unloading;
- .2 in a ship to which SOLAS regulation II-2/4.5.5, as amended, does not apply, the product may be carried without inertion (in tanks of a size not greater than 3,000 m³). If inertion is to be applied on such a ship, then the application of inert gas shall not take place before loading or during the voyage, but shall be applied before commencement of unloading.

Chapter 17 – Summary of minimum requirements

11 The explanatory notes for "Tank environment control (column h)" are replaced by the following:

| | | |
|---|--------|---|
| "Tank environmental control (column h)" | Inert: | inerting (9.1.2.1) |
| | Pad: | liquid or gas padding (9.1.2.2) |
| | Dry: | drying (9.1.2.3) |
| | Vent: | natural or forced ventilation (9.1.2.4) |
| | No: | no special requirements under this Code (inerting may be required under SOLAS)" |

Certificate of Fitness

12 Paragraph 6 is replaced with the following:

"6 That the ship must be loaded:

- .1* only in accordance with loading conditions verified compliant with intact and damage stability requirements using the approved stability instrument fitted in accordance with paragraph 2.2.6 of the Code;
- .2* where a waiver permitted by paragraph 2.2.7 of the Code is granted and the approved stability instrument required by paragraph 2.2.6 of the Code is not fitted, loading shall be made in accordance with one or more of the following approved methods:
 - (i)* in accordance with the loading conditions provided in the approved loading manual, stamped and dated and signed by a responsible officer of the Administration, or of an organization recognized by the Administration; or

- (ii)* in accordance with loading conditions verified remotely using an approved means; or
- (iii)* in accordance with a loading condition which lies within an approved range of conditions defined in the approved loading manual referred to in (i) above; or
- (iv)* in accordance with a loading condition verified using approved critical KG/GM data defined in the approved loading manual referred to in (i) above;

.3* in accordance with the loading limitations appended to this Certificate.

Where it is required to load the ship other than in accordance with the above instruction, then the necessary calculations to justify the proposed loading conditions shall be communicated to the certifying Administration who may authorize in writing the adoption of the proposed loading condition.

* Delete as appropriate."

第 17/2018 號行政長官公告

鑑於中華人民共和國是國際海事組織的會員國及《1974年國際海上人命安全公約》（下稱“《1974年安全公約》”）的締約國；

國際海事組織海上安全委員會分別於二零一四年五月二十二日和十一月二十一日在其第九十三屆和第九十四屆會議上，透過第MSC.365(93)號及第MSC.380(94)號決議通過了經修正的《1974年安全公約》修正案，該修正案分別於二零一六年一月一日及二零一六年七月一日在國際法律秩序上生效，包括對中華人民共和國及澳門特別行政區生效；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈海上安全委員會分別於二零一四年五月二十二日及二零一四年十一月二十一日通過的、包含上指經修正的《1974年安全公約》修正案的MSC.365(93)號及第MSC.380(94)號決議的中文及英文正式文本。

《1974年安全公約》已透過第79/83號政府命令公佈於一九九九年十二月六日第四十九期《澳門政府公報》第一組副刊。

二零一八年三月十五日發佈。

行政長官 崔世安

Aviso do Chefe do Executivo n.º 17/2018

Considerando que a República Popular da China é um Estado-Membro da Organização Marítima Internacional (OMI) e um Estado Contratante da Convenção Internacional para a Salvaguarda da Vida Humana no Mar de 1974 (daqui em diante designada por «Convenção SOLAS 1974»);

Considerando igualmente que, em 22 de Maio e em 21 de Novembro de 2014, respectivamente, nas suas 93.ª e 94.ª sessões, o Comité de Segurança Marítima da Organização Marítima Internacional, através das suas resoluções MSC.365(93) e MSC.380(94), adoptou emendas à Convenção SOLAS 1974, tal como emendada, e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau, respectivamente, em 1 de Janeiro de 2016 e em 1 de Julho de 2016;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas) a Resolução MSC.365(93) e a Resolução MSC.380(94) do Comité de Segurança Marítima adoptadas, respectivamente, em 22 de Maio de 2014 e em 21 de Novembro de 2014, que contêm as referidas emendas à Convenção SOLAS 1974, tal como emendada, nos seus textos autênticos em línguas chinesa e inglesa.

A Convenção SOLAS 1974 encontra-se publicada, através do Decreto do Governo n.º 79/83, no Suplemento do *Boletim Oficial de Macau* n.º 49, I Série, de 6 de Dezembro de 1999.

Promulgado em 15 de Março de 2018.

O Chefe do Executivo, *Chui Sai On*.