

RESOLUTION MEPC.249(66)

(Adopted on 4 April 2014)

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

(Cargo containment and Form of Certificate of Fitness)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution from ships,

RECALLING ALSO resolution MEPC.20(22) by which the Committee adopted the *Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code)*,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1973 Convention") and article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1978 Protocol") which together specify the amendment procedure of the 1978 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL),

CONSIDERING that it is highly desirable for the provisions of the BCH Code which are mandatory under MARPOL and recommendatory from a safety standpoint, to remain identical, when adopted by the Marine Environment Protection Committee and the Maritime Safety Committee,

HAVING CONSIDERED proposed amendments to the BCH Code, developed by the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety, at its fifty-fifth session,

1 ADOPTS, in accordance with article 16(2)(b), (c) and (d) of the 1973 Convention, amendments to the BCH Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments to the BCH Code shall be deemed to have been accepted on 1 July 2015 unless, prior to that date, not less than one third of the Parties or Parties, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the amendments to the BCH Code shall enter into force on 1 January 2016 upon their acceptance in accordance with paragraph 2 above;

4 INVITES ALSO the Maritime Safety Committee to note this resolution and take action as appropriate;

5 REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to MARPOL, certified copies of the present resolution and the text of the amendments to the BCH Code contained in the annex;

6 REQUESTS FURTHER the Secretary-General to transmit copies of the present resolution and its annex to the Members of the Organization which are not Parties to MARPOL.

ANNEX

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

Chapter II – Cargo containment

Part A – Physical protection (Siting of cargo tanks; ship stability)

1 Existing subparagraph 2.2.1 is replaced by the following:

"2.2.1 General: Ships subject to this Code may be assigned the minimum freeboard permitted by the International Convention on Load Lines, 1966. The additional requirements in paragraph 2.2.4, taking into account any empty or partially filled tank as well as the specific gravities of cargoes to be carried, however, should govern the allowed operating draught for any actual condition of loading.

2.2.1.1 All ships engaged in the transport of chemicals in bulk should be supplied with loading and stability manuals for the information and guidance of the master. These manuals should contain details concerning the loaded conditions of full and empty or partially empty tanks, the position of these tanks in the ship, the specific gravities of the various parcels of cargoes carried, and any ballast arrangements in critical conditions of loading. Provisions for evaluating other conditions of loading should be contained in the manuals.

2.2.1.2 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 at the first scheduled renewal survey of the ship, on or after 1 January 2016, but not later than 1 January 2021, having regard to the performance standards recommended by the Organization:

- .1 notwithstanding the above, 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
- .2 for the purposes of control under regulation 16 of MARPOL Annex II, the Administration shall issue a document of approval for the stability instrument.

2.2.1.3 The Administration may waive the requirements of paragraph 2.2.1.2 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 Certificate of Fitness referred to in paragraph 1.6.3:

- .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 2.2.1.1;
- .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 provided with approved limiting KG/GM curves covering all applicable intact and damage stability requirements.

Certificate of Fitness

2 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 2.2.1.2 of the Code;
- .2^{***} where a waiver permitted by paragraph 2.2.1.3 of the Code is granted and the approved stability instrument required by paragraph 2.2.1.2 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."