

ANNEX 4

**RESOLUTION MSC.269(85)
(adopted on 4 December 2008)**

**ADOPTION OF AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR
THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

THE MARITIME SAFETY COMMITTEE,

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

RECALLING FURTHER article VIII(b) of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as “the Convention”), concerning the amendment procedure applicable to the Annex to the Convention, other than to the provisions of chapter I thereof,

HAVING CONSIDERED, at its eighty-fifth session, amendments to the Convention, proposed and circulated in accordance with article VIII(b)(i) thereof,

1. ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the Convention, the text of which is set out in Annexes 1 and 2 to the present resolution;
2. DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that:
 - (a) the said amendments, set out in Annex 1, shall be deemed to have been accepted on 1 January 2010; and
 - (b) the said amendments, set out in Annex 2, shall be deemed to have been accepted on 1 July 2010,

unless, prior to those dates, 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 the Convention to note that, in accordance with article VIII(b)(vii)(2) of the Convention:
 - (a) the amendments, set out in Annex 1, shall enter into force on 1 July 2010; and
 - (b) the amendments, set out in Annex 2, shall enter into force on 1 January 2011,

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 Annexes 1 and 2 to all Contracting Governments to the Convention;

5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its Annexes 1 and 2 to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX 1

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF
LIFE AT SEA, 1974, AS AMENDED**

**CHAPTER II-1
CONSTRUCTION – STRUCTURE, SUBDIVISION AND STABILITY, MACHINERY
AND ELECTRICAL INSTALLATIONS**

**Part A
General**

Regulation 2 – Definitions

- 1 The following new paragraph 27 is added after the existing paragraph 26:

“27 *2008 IS Code* means the International Code on Intact Stability, 2008, consisting of an introduction, part A (the provisions of which shall be treated as mandatory) and part B (the provisions of which shall be treated as recommendatory), as adopted by resolution MSC.267(85), provided that:

- .1 amendments to the introduction and part A of the Code are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the Annex other than chapter I thereof; and
- .2 amendments to part B of the Code are adopted by the Maritime Safety Committee in accordance with its Rules of Procedure.”

**Part B-1
Stability**

Regulation 5 – Intact stability information

- 2 In the existing title of the regulation, the word “information” is deleted.
- 3 In paragraph 1, the following new sentence is added after the existing sentence:

“In addition to any other applicable requirements of the present regulations, ships having a length of 24 m and upwards constructed on or after 1 July 2010 shall as a minimum comply with the requirements of part A of the 2008 IS Code.”

CHAPTER II-2 CONSTRUCTION – FIRE PROTECTION, FIRE DETECTION AND FIRE EXTINCTION

Part A General

Regulation 1 – Application

- 4 The following new paragraph 2.3 is added:

“2.3 Ships constructed on or after 1 July 2002 and before 1 July 2010 shall comply with paragraphs 7.1.1, 7.4.4.2, 7.4.4.3 and 7.5.2.1.2 of regulation 9, as adopted by resolution MSC.99(73).”

Part C Suppression of fire

Regulation 9 – Containment of fire

- 5 The last sentence of paragraph 4.1.1.2 is moved to a new separate paragraph 4.1.1.3 and the existing following paragraphs are renumbered accordingly.

- 6 The following text is added at the end of paragraph 4.1.1.2:

“Doors approved without the sill being part of the frame, which are installed on or after 1 July 2010, shall be installed such that the gap under the door does not exceed 12 mm. A non-combustible sill shall be installed under the door such that floor coverings do not extend beneath the closed door.”

- 7 The following text is added at the end of paragraph 4.1.2.1:

“Doors approved without the sill being part of the frame, which are installed on or after 1 July 2010, shall be installed such that the gap under the door does not exceed 25 mm.”

- 8 In paragraph 4.2.1, the following text is added after the first sentence:

“Doors approved as “A” class without the sill being part of the frame, which are installed on or after 1 July 2010, shall be installed such that the gap under the door does not exceed 12 mm and a non-combustible sill shall be installed under the door such that floor coverings do not extend beneath the closed door. Doors approved as “B” class without the sill being part of the frame, which are installed on or after 1 July 2010, shall be installed such that the gap under the door does not exceed 25 mm.”

- 9 In paragraph 7.1.1, in the first and second sentences, the words “non-combustible” are replaced by the words “steel or equivalent”.

- 10 At the beginning of paragraph 7.1.1.1, the words “subject to paragraph 7.1.1.2” are added and the word “a” before the word “material” is replaced by the word “any”.

11 The following new paragraph 7.1.1.2 is added after the existing paragraph 7.1.1.1 and the existing subsequent paragraphs are renumbered accordingly:

- “2 on ships constructed on or after 1 July 2010, the ducts shall be made of heat resisting non-combustible material, which may be faced internally and externally with membranes having low flame-spread characteristics and, in each case, a calorific value** not exceeding 45 MJ/m² of their surface area for the thickness used;”

** Refer to the recommendations published by the International Organization for Standardization, in particular publication ISO 1716:2002, *Determination of calorific potential*.

12 In paragraph 7.4.4.2, the words “non-combustible” are replaced by the words “steel or equivalent”.

13 In paragraph 7.4.4.3, the words “non-combustible” are replaced by the words “steel or equivalent”.

14 At the beginning of paragraph 7.4.4.3.1, the words “subject to paragraph 7.4.4.3.2” are added and the word “a” before the word “material” is replaced by the word “any”.

15 The following new paragraph 7.4.4.3.2 is added after the existing paragraph 7.4.4.3.1 and the existing subsequent paragraphs are renumbered accordingly:

- “3.2 on ships constructed on or after 1 July 2010, the ducts shall be made of heat resisting non-combustible material, which may be faced internally and externally with membranes having low flame-spread characteristics and, in each case, a calorific value* not exceeding 45 MJ/m² of their surface area for the thickness used;”

* Refer to the recommendations published by the International Organization for Standardization, in particular publication ISO 1716:2002, *Determination of calorific potential*.

16 At the end of paragraph 7.5.2.1.2, the words “and, in addition, a fire damper in the upper end of the duct” are added.

Regulation 10 – Fire fighting

17 The following new paragraph 10.2.6 is inserted after the existing paragraph 10.2.5:

“10.2.6 Passenger ships carrying more than 36 passengers constructed on or after 1 July 2010 shall be fitted with a suitably located means for fully recharging breathing air cylinders, free from contamination. The means for recharging shall be either:

- .1 breathing air compressors supplied from the main and emergency switchboard, or independently driven, with a minimum capacity of 60 l/min per required breathing apparatus, not to exceed 420 l/min; or
- .2 self-contained high-pressure storage systems of suitable pressure to recharge the breathing apparatus used on board, with a capacity of at least 1,200 l per required breathing apparatus, not to exceed 50,000 l of free air.”

ANNEX 2

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF
LIFE AT SEA, 1974, AS AMENDED**

**CHAPTER II-2
CONSTRUCTION – FIRE PROTECTION, FIRE DETECTION AND
FIRE EXTINCTION**

**Part A
General**

Regulation 1 – Application

- 1 The following new paragraph 2.4 is added after the existing paragraph 2.3:

“2.4 The following ships, with cargo spaces intended for the carriage of packaged dangerous goods, shall comply with regulation 19.3, except when carrying dangerous goods specified as classes 6.2 and 7 and dangerous goods in limited quantities* and excepted quantities** in accordance with tables 19.1 and 19.3, not later than the date of the first renewal survey on or after the 1 January 2011:

- .1 cargo ships of 500 gross tonnage and upwards and passenger ships constructed on or after 1 September 1984 but before 1 January 2011; and
- .2 cargo ships of less than 500 gross tonnage constructed on or after 1 February 1992 but before 1 January 2011,

and notwithstanding these provisions:

- .3 cargo ships of 500 gross tonnage and upwards and passenger ships constructed on or after 1 September 1984 but before 1 July 1986 need not comply with regulation 19.3.3 provided that they comply with regulation 54.2.3 as adopted by resolution MSC.1(XLV);
- .4 cargo ships of 500 gross tonnage and upwards and passenger ships constructed on or after 1 July 1986 but before 1 February 1992 need not comply with regulation 19.3.3 provided that they comply with regulation 54.2.3 as adopted by resolution MSC.6(48);
- .5 cargo ships of 500 gross tonnage and upwards and passenger ships constructed on or after 1 September 1984 but before 1 July 1998 need not comply with regulations 19.3.10.1 and 19.3.10.2; and
- .6 cargo ships of less than 500 gross tonnage constructed on or after 1 February 1992 but before 1 July 1998 need not comply with regulations 19.3.10.1 and 19.3.10.2.”

* Refer to chapter 3.4 of the IMDG Code.

** Refer to chapter 3.5 of the IMDG Code.

Part E
Operational requirements

Regulation 16 – Operations

2 In paragraph 2.1, the reference to “the Code of Safe Practice for Solid Bulk Cargoes” is replaced by the reference to “the International Maritime Solid Bulk Cargoes (IMSBC) Code”.

Part G
Special requirements

Regulation 19 – Carriage of dangerous goods

3 The existing note 1 to table 19.1 is replaced by the following:

“¹ For classes 4 and 5.1 solids not applicable to closed freight containers. For classes 2, 3, 6.1 and 8 when carried in closed freight containers, the ventilation rate may be reduced to not less than two air changes per hour. For classes 4 and 5.1 liquids when carried in closed freight containers, the ventilation rate may be reduced to not less than two air changes per hour. For the purpose of this requirement, a portable tank is a closed freight container.”

4 In note 10 to table 19.2, the words “the Code of Safe Practice for Solid Bulk Cargoes, adopted by resolution A.434(XI)” are replaced by the words “the International Maritime Solid Bulk Cargoes (IMSBC) Code”.

5 The existing table 19.3 is replaced by the following table:

“Table 19.3 – Application of the requirements to different classes of dangerous goods except solid dangerous goods in bulk

Class	Regulation 19																							
	1.1 to 1.6	1.4S	2.1	2.2	2.3 flammable ²⁰	2.3 non-flammable	3 FP ¹⁵ < 23°C	3 FP ¹⁵ ≥ 23°C to ≤ 60°C	4.1	4.2	4.3 liquids ²¹	4.3 solids	5.1	5.2 ¹⁶	6.1 liquids FP ¹⁵ < 23°C	6.1 liquids FP ¹⁵ ≥ 23°C to ≤ 60°C	6.1 liquids	6.1 solids	8 liquids FP ¹⁵ < 23°C	8 liquids FP ¹⁵ ≥ 23°C to ≤ 60°C	8 liquids	8 solids	9	
3.1.1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3.1.2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	-	
3.1.3	X	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
3.1.4	X	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
3.2	X	-	X	-	X	-	X	-	-	-	X ¹⁸	-	-	-	X	-	-	-	X	-	-	-	X ¹⁷	
3.3	X	X	X	X	-	X	X	X	X	X	X	X	X	-	X	X	X	X	X	X	X	X	-	
3.4.1	-	-	X	-	-	X	X	-	X ¹¹	X ¹¹	X	X	X ¹¹	-	X	X	-	X ¹¹	X	X	-	-	X ¹⁷	
3.4.2	-	-	X	-	-	-	X	-	-	-	-	-	-	-	X	-	-	-	X	-	-	-	X ¹⁷	
3.5	-	-	-	-	-	-	X	-	-	-	-	-	-	-	X	X	X	-	X	X ¹⁹	X ¹⁹	-	-	
3.6	-	-	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X ¹⁴	
3.7	-	-	-	-	-	-	X	X	X	X	X	X	X	-	X	X	-	-	X	X	-	-	-	
3.8	X ¹²	-	X	X	X	X	X	X	X	X	X	X	X ¹³	X	X	X	-	-	X	X	-	-	-	
3.9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3.10.1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3.10.2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

¹¹ When “mechanically-ventilated spaces” are required by the IMDG Code.

¹² Stow 3 m horizontally away from the machinery space boundaries in all cases.

¹³ Refer to the IMDG Code.

¹⁴ As appropriate for the goods to be carried.

¹⁵ FP means flashpoint.

¹⁶ Under the provisions of the IMDG Code, stowage of class 5.2 dangerous goods under deck or in enclosed ro-ro spaces is prohibited.

¹⁷ Only applicable to dangerous goods evolving flammable vapour listed in the IMDG Code.

- ¹⁸ Only applicable to dangerous goods having a flashpoint less than 23°C listed in the IMDG Code.
- ¹⁹ Only applicable to dangerous goods having a subsidiary risk class 6.1.
- ²⁰ Under the provisions of the IMDG Code, stowage of class 2.3 having subsidiary risk class 2.1 under deck or in enclosed ro-ro spaces is prohibited.
- ²¹ Under the provisions of the IMDG Code, stowage of class 4.3 liquids having a flashpoint less than 23°C under deck or in enclosed ro-ro spaces is prohibited.”

6 In paragraph 2.1, after the words “except when carrying dangerous goods in limited quantities”, the following words are added:

“and excepted quantities^{*}”.

^{*} Refer to chapter 3.5 of the IMDG Code.

7 In paragraph 3.4, the existing title is replaced as follows:

“3.4 *Ventilation arrangement*”.

8 The following text is added at the end of the first sentence of paragraph 3.6.1:

“and shall be selected taking into account the hazards associated with the chemicals being transported and the standards developed by the Organization according to the class and physical state^{*}.”

^{*} For solid bulk cargoes, the protective clothing should satisfy the equipment provisions specified in the respective schedules of the IMSBC Code for the individual substances. For packaged goods, the protective clothing should satisfy the equipment provisions specified in emergency procedures (EmS) of the Supplement to the IMDG Code for the individual substances.

9 At the end of paragraph 4, the words “and excepted quantities” are added.

CHAPTER VI CARRIAGE OF CARGOES

Part A General provisions

10 The following new regulations 1-1 and 1-2 are added after the existing regulation 1:

“Regulation 1-1 Definitions

For the purpose of this chapter, unless expressly provided otherwise, the following definitions shall apply:

1 *IMSBC Code* means the International Maritime Solid Bulk Cargoes (IMSBC) Code adopted by the Maritime Safety Committee of the Organization by resolution MSC.268(85), as may be amended by the Organization, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the Annex other than chapter I.

2 *Solid bulk cargo* means any cargo, other than liquid or gas, consisting of a combination of particles, granules or any larger pieces of material generally uniform in composition, which is loaded directly into the cargo spaces of a ship without any intermediate form of containment.

Regulation 1-2

Requirements for the carriage of solid bulk cargoes other than grain

The carriage of solid bulk cargoes other than grain shall be in compliance with the relevant provisions of the IMSBC Code.”

Regulation 2 – Cargo information

11 The existing subparagraph .2 of paragraph 2 is replaced by the following:

“.2 in the case of solid bulk cargo, information as required by section 4 of the IMSBC Code.”

12 The existing paragraph 2.3 is deleted.

Regulation 3 – Oxygen analysis and gas detection equipment

13 In paragraph 1, the word “solid” is inserted in the first sentence, after the words “When transporting a”.

Part B

Special provisions for bulk cargoes other than grain

14 The title of part B is replaced as follows:

“Special provisions for solid bulk cargoes”

Regulation 6 – Acceptability for shipment

15 In existing paragraph 1, the word “solid” is inserted in the first sentence after the words “Prior to loading a”.

16 The existing paragraphs 2 and 3 are deleted.

Regulation 7 – Loading, unloading and stowage of bulk cargoes

17 In the heading of the regulation, the word “solid” is inserted after the words “stowage of”.

18 The existing paragraphs 4 and 5 are deleted and the subsequent paragraphs are renumbered accordingly.

**CHAPTER VII
CARRIAGE OF DANGEROUS GOODS**

**Part A-1
Carriage of dangerous goods in solid form in bulk**

Regulation 7-1 – Application

19 In paragraph 3 of the regulation, the words “detailed instructions on the safe carriage of dangerous goods in solid form in bulk which shall include” are deleted.

20 The following new regulation 7-5 is inserted after regulation 7-4:

**“Regulation 7-5
Requirements for the carriage of dangerous goods in solid form in bulk**

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.”
