



MARITIME SAFETY COMMITTEE  
84th session  
Agenda item 11

MSC 84/11/2  
28 February 2008  
Original: ENGLISH

## SHIP DESIGN AND EQUIPMENT

### Definition of the term “bulk carrier”

Submitted by Norway

#### SUMMARY

|                                    |  |
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| <b><i>Executive summary:</i></b>   | This document requests MSC 84 to further consider the issue of the definition of the term “bulk carrier” on which DE 51 could not reach a consensus decision |
| <b><i>Strategic direction:</i></b> | 2  |
| <b><i>High-level action:</i></b>   | 2.1.1  |
| <b><i>Planned output:</i></b>      | 2.1.1.2  |
| <b><i>Action to be taken:</i></b>  | Paragraph 6  |
| <b><i>Related documents:</i></b>   | DE 51/28, section 27; DE 51/27; DE 51/WP.8   |

1 The Committee may wish to recall that MSC 83, having noted that DE 50 had not been able to agree on an interpretation of the definition of the term “bulk carrier”, had instructed DE 51 to reconsider the issue. In pursuance of that instruction, DE 51 considered the matter, taking into account the document submitted to the session (DE 51/27) and a proposed draft MSC resolution, prepared by a group of experts during the meeting, providing guidance on the application of the related SOLAS requirements to bulk carriers. However, DE 51 did not reach agreement on the issue.

2 The proposed draft MSC resolution provides a general approach with respect to interpreting the term “bulk carrier” as currently defined in SOLAS and addresses the need to clarify the requirements for situations where ships, either not of traditional “bulk carrier form” or not *primarily* intended to carry dry cargo in bulk, are used to carry such cargoes. The general framework of the draft resolution attempted to define the operational functions, etc., which lead to the bulk carrier designation and then defined specific ship types which may need to be excluded from the requirements, as appropriate. In this context, Norway noted that particular difficulties had been encountered in the interpretation of the word “primarily” and that the problem was not so much the issue of defining bulk carriers of “traditional” form and operation, but rather how the definition could be structured to meet the needs of other ships which occasionally carry dry bulk cargo in bulk.

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3 Norway is of the view that the draft MSC resolution as prepared by the group could serve as a basis for further consideration. In view of the urgency of the matter, with the lack of an interpretation of the definition causing problems globally, especially with regard to PSC inspections of ships carrying dry cargo in bulk, Norway feels that this issue needs to be dealt with as a matter of priority. It is therefore proposed that the matter be thoroughly debated by the Committee, with a view to resolving the matter at MSC 84.

4 As stated above, Norway is of the opinion that clarification of the definition is an urgent matter and notes that media and the public are concerned over the slow progress at IMO on the matter.

5 Attached in the annex to this document is a proposal by Norway for a draft MSC resolution, based on the proposal made by the group of experts at DE 51, for the consideration of the Committee.

#### **Action requested of the Committee**

6 The Committee is invited to consider the above information and the annexed draft MSC resolution and to take action as appropriate considering the urgency of the matter.

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## ANNEX

## DRAFT MSC RESOLUTION

**REVISED INTERPRETATION OF THE TERM “BULK CARRIER”  
AS DEFINED IN SOLAS REGULATION IX/1.6****Guidance for application of SOLAS chapter XII and resolution A.744(18)  
to bulk carriers built on or after [...]**

THE MARITIME SAFETY COMMITTEE,

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

NOTING that the 1997 SOLAS Conference adopted chapter XII of the International Convention for the Safety of Life at Sea (SOLAS), 1974 concerning additional safety measures for bulk carriers,

NOTING FURTHER that SOLAS chapter XII which entered into force on 1 July 1999 has since been revised by the adoption of resolution MSC.179(70),

NOTING FURTHER that definitions of the term “bulk carrier” exist both in SOLAS chapters IX and XII,

DESIRING to ensure that all Contracting Governments to the 1974 SOLAS Convention continue to implement SOLAS chapters IX and XII in a consistent and uniform manner,

RECOGNIZING, therefore, the need to establish, for that purpose, guidance on applications of, and interpretations to, the relevant provisions of that chapter,

1. URGES Governments concerned to:
  - .1 ensure that ships to which SOLAS regulation XII/4.3 applies are not permitted to be subject to the provisions of SOLAS regulation XII/9 by means of modifications that would render non-watertight one or more watertight transverse bulkheads;
  - .2 interpret the provisions of SOLAS regulation XII/10.2 as follows:

“For bulk carriers of 150 m in length and upwards of single-side skin construction constructed before 1 July 1999, any cargo carried on or after the implementation date specified in regulation 3 and declared to have a density within the range of 1,250 to 1,780 kg/m<sup>3</sup> should have its density verified by an accredited testing organization, unless such bulk carriers comply with all the relevant requirements of this chapter applicable to be carriage of solid bulk cargoes having a density of 1,780 kg/m<sup>3</sup> and above”;

- .3 interpret the term “bulk carrier” and its definition as follows:
- .1 “*primarily to carry dry cargo in bulk*” means primarily designed to carry dry cargo in bulk and to transport cargoes which are carried, and loaded or discharged, in bulk, and which occupy the ship’s cargo spaces exclusively or predominantly. “*Loaded or discharged in bulk*” means by pneumatic elevator, conveyor, grab or similar bulk handling device;
  - .2 “*includes such types as ore carriers and combination carriers*” and “*constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces*” mean that ships are not considered outside the definition of bulk carriers on the grounds that they are not ore or combination carriers, or that they lack some or all of the specified constructional features;
- .4 note with respect to the above definitions that bulk carriers may be permitted to carry cargoes which are not loaded or discharged in bulk, and to remain bulk carriers while so doing;
- .5 in order to avoid the inappropriate application of provisions of chapters IX and XII to certain dedicated ship types, exclude from the scope of cargoes deemed, for the purpose of determining ship type, to be dry cargoes carried in bulk:
- .1 woodchips; [or]
  - .2 cement; [or] [and]
  - .3 urea]; and
- .6 note that double-hulled ships (where “double-hulled” is as defined in SOLAS chapter XII in relation to bulk carriers) whose Load Line Certificate shows freeboard assigned as “Type B with increased freeboard” such that the assigned freeboard is not less than that which results from using the tabular freeboard of table B in regulation 28 of the International Convention on Load Lines, 1966, increased by [60%] of the difference between the B and A tabular values for the appropriate ship length, do NOT need to be considered as bulk carriers, and are permitted to carry occasional dry bulk cargoes providing that the following regulations are met as applicable to the cargo being carried:

| <b>SOLAS regulation</b>   | <b>Applicability</b> |
|---|----------------------|
| Regulation II-1/3-6 (Access to and within spaces in, and forward of, the cargo area of oil tankers and bulk carriers) | [To be agreed]       |
| Regulation III/31 (Survival craft and rescue boats)   | [To be agreed]       |
| Regulation XI-1/2 (Enhanced surveys)  | [To be agreed]       |
| Regulation XII/4 (Damage stability requirements bulk carriers $\geq$ 150m)  | [To be agreed]       |
| Regulation XII/5 (Structural strength of bulk carriers)   | [To be agreed]       |
| Regulation XII/6 (Structural survivability and other requirements for bulk carriers)                                  | [To be agreed]       |
| Regulation XII/7 (Survey and maintenance of bulk carriers)  | [To be agreed]       |
| Regulation XII/8 (Information on compliance with requirements for bulk carriers)                                      | [To be agreed]       |

| <b>SOLAS regulation</b>   | <b>Applicability</b> |
|---|----------------------|
| Regulation XII/9 (Requirements for bulk carriers not being capable of complying with regulation 4.3 due to the design configuration of their cargo holds) | [To be agreed]       |
| Regulation XII/10 (Solid bulk cargo density declaration)  | [To be agreed]       |
| Regulation XII/11 (Loading instrument)  | [To be agreed]       |
| Regulation XII/12 (Hold, ballast and dry space water ingress alarms)  | [To be agreed]       |
| Regulation XII/13 (Availability of pumping systems)   | [To be agreed]       |
| Regulation XII/14 (Restrictions from sailing with any hold empty)   | [To be agreed]       |

2. INVITES Governments concerned to bring the contents of this resolution to the attention of all parties concerned.

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