



Australian Government
Australian Maritime Safety Authority

AMSA MO 2012/1

Marine Orders Part 44 Amendment 2012 (No. 1) (Safe containers)

I, Mick Kinley, Acting Chief Executive Officer of the Australian Maritime Safety Authority, make this Order under subsection 425(1AA) of the *Navigation Act 1912*.

Mick Kinley
Mick Kinley
Acting Chief Executive Officer

3 January 2012

1 Name of Order

This Order is *Marine Orders Part 44 Amendment 2012 (No. 1)*.

2 Commencement

This Order commences on 15 January 2012.

3 Amendment of *Marine Orders Part 44, issue 5*

Schedule 1 amends *Marine Orders Part 44, issue 5*.

Schedule 1 Amendment

[1] Before section 1

insert

1A Name of Order

This Order is *Marine Order 44, issue 5*.

[2] Section 2, heading

substitute

2 Definitions

In this Order:

[3] Section 2, definitions of *AMSA* and *approved*

substitute

approved means approved by the Manager, Ship Inspection and Registration or an authorised organisation.

[4] Section 2, definition of *authorised organisation*, footnote 1

substitute

Note Authorised organisations are American Bureau of Shipping, Bureau Veritas, China Classification Society, Det Norske Veritas, Germanischer Lloyd, Korean Register of Shipping, Lloyd's Register of Shipping, Nippon Kaiji Kyokai and RINA S.p.A.

[5] Section 2, definition of *Chief Marine Surveyor*

omit

[6] Section 2, definition of *dangerous goods*, footnote 2

substitute

Note Section 248 of the Navigation Act defines dangerous goods as the goods listed in the International Maritime Dangerous Goods Code — see Marine Orders, Part 41.

[7] Section 2, definition of *General Manager*

omit

[8] Section 2, definition of *the Container Convention*

substitute

the Container Convention has the meaning given by subsection 187A(1) of the Navigation Act.

Note The Convention is amended by MSC.3(48), A.737(18), MSC.20(59) and MSC.310(88).

[9] Section 2, definition of *maximum permissible payload*, footnote 3

substitute

Note The letter ‘P’ is expressed in units of mass. When a value is based on the gravitational forces derived from P, that force, which is an inertial force, is indicated as ‘Pg’.

[10] Section 2, definition of *penal provision*

omit

[11] Section 2, after definition of *unsafe container*

insert

Note Some expressions used in this Order are defined in *Marine Order 1 (Administration)*, including:

- AMSA
- Manager, Ship Inspection and Registration
- Navigation Act
- penal provision.

[12] Subsection 3.2

omit

[13] Subsections 4.2, 4.3 and 4.4

omit

Provision

insert

Section

[14] Sections 5, 6 and 7

substitute

6 Review of decisions

- 6.1 A person affected by a decision under this Order may apply to the General Manager, Maritime Operations Division for a review of the decision in accordance with section 18 of *Marine Order 1 (Administration)*.

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- 6.2 Sections 18 and 19 of *Marine Order 1 (Administration)* apply to an application under section 6.1 as if it were an application under *Marine Order 1 (Administration)*.

7 Transitional — approvals

A container or type of container approved under a previous issue of this Order, and in service on 14 January 2012, is taken to be approved under this Order.

[15] Subsection 8.5, footnote 5

substitute

Note A Safety Approval Plate affixed to a container does not remove the necessity to display any labels or other information that are otherwise required to be displayed on the container.

[16] Subsection 9.3.6, footnote 6

substitute

Note Examination and re-examination dates are specified by month and year only — see the Container Convention.

[17] After subsection 9.3

insert

- 9.4 If the owner has an approved continuous examination program in place, the program must be:
- (a) reviewed at least once every 10 years to ensure its continued viability; and
 - (b) audited at least every 2.5 years by an authorised organisation.

[18] Subsection 10.8, at the foot

insert

Note If the container is approved for, and being used as, a one door off operation, the difference in allowable stacking mass will be mentioned on the Safety Approval Plate — see Schedule 1, cl 2.4.

[19] Appendix 1, subclause 2.4, footnote 7

substitute

Note If the information required for line 7, 8 or 9 is not required for a Safety Approval Plate, those lines may be used for marking examination dates.

[20] Appendix 1, subclause 2.4, after line 5

insert

- Line 5A: If the container is approved for one door off operation, the allowable stacking load for 1.8g expressed in both kilograms and pounds for one door off.

[21] Appendix 1, subclause 2.4, after line 6

insert

Line 6A: If the container is approved for one door off operation, the allowable transverse racking test force expressed in Newtons for one door off.

[22] Appendix 1, subclause 2.4, line 7, footnote 8

substitute

Example 'End wall strength 0.5P'

[23] Appendix 1, subclause 2.4, line 8, footnote 9

substitute

Example 'Side wall strength 0.8P'

[24] Appendix 1, figure 1, footnote 10

substitute

Note The letters 'CSC' are omitted if the area enclosed by the container's 4 outer bottom corners is less than 14 m², or less than 7 m² if it is fitted with top corner fittings.

[25] Appendix 1, figure 1, after line 5

insert

| | | |
|--------------|---|--|
| Line 5A..... | ONE DOOR OFF ALLOWABLE STACKING LOAD FOR 1.8gkg lb | |
|--------------|---|--|

[26] Appendix 1, figure 1, after line 6

insert

| | | |
|--------------|---|--|
| Line 6A..... | ONE DOOR OFF TRANSVERSE RACKING TEST FORCE Newtons | |
|--------------|---|--|

[27] Appendix 2, after clause 2

insert

2A An examination of a container must take into account the examination criteria mentioned in Annex III to the Container Convention.

[28] Other amendments — Part

| <i>provision</i> | <i>omit</i> | <i>insert</i> |
|---|-----------------------|---------------|
| section 1, heading | Part | Order |
| subsection 1.2 | Part of Marine Orders | Order |
| section 2, definition of <i>authorised organisation</i> | Part | Order |
| subsection 4.1 | Part | Order |
| subsection 4.5 | Part | Order |

| <i>provision</i> | <i>omit</i> | <i>insert</i> |
|----------------------|-------------|---------------|
| subsection 8.6.1 | Part | Order |
| subsection 8.6.2 | Part | Order |
| subsection 10.1.2 | Part | Order |
| subsection 10.4 | Part | Order |
| paragraph 10.5(b) | Part | Order |
| subsection 10.6 | Part | Order |
| Appendix 2, clause 1 | Part | Order |

[29] Other amendments — Appendix

omit each mention of ‘Appendix’ and insert ‘Schedule’ in the following provisions

- subsection 8.5
- subsection 9.2.1
- Appendix 1, heading
- Appendix 1, clause 1
- Appendix 2, heading

[30] Other amendments — Chief Marine Surveyor

omit each mention of ‘Chief Marine Surveyor’ and insert ‘Manager, Ship Inspection and Registration’ in the following provisions

- section 2, definition of ***authorised organisation***
- subsection 3.1
- subsection 8.6.1
- subsection 8.6.2
- Appendix 1, subclause 2.3

[31] Other amendments — definitions

Each definition in section 2 (other than the definitions of ***approved*** and ***the Container Convention***) is amended by:

- (a) omitting the concluding semi-colon and substituting a full stop; and
- (b) formatting each defined term in bold italic.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.