

NON AUTHORITATIVE TRANSLATION

Warning: Notwithstanding great care has been taken in translating the Dutch exemption document, differences between the English and Dutch text may occur. In cases of disputes or discrepancies the Dutch text shall prevail.

Decree No. 2019/69

Regulation on the Notification of Seagoing Ships North Sea Canal Area 2019

The Director of the Central Nautical Management North Sea Canal Area;

Having regard to:

- Article 3.10, paragraph 1, of the Regional Port Bye-laws for the North Sea Canal Area 2019;
- Directive 2002/59/EC;
- The Regulation on the Notification and Communication of Seagoing Ships;

Whereas:

- National regulations require seagoing ships to send notifications with certain information prior to entering or leaving the port;
- The information thus notified is insufficient to enable shipping traffic in the port to be handled safely and efficiently;
- it is appropriate, therefore, to require seagoing ships to make additional notifications to the Harbour Master upon arrival and departure, and when the seagoing ship is going to shift berth within the port;

Has decreed to adopt:

The Regulation on the Notification of Seagoing Ships North Sea Canal Area 2019

Article 1 - Definition of terms

In this Regulation, contrary to the provisions of article 1.1 of the Regional Port Bye-laws for the North Sea Canal Area 2019, the following terms are defined as stated below:

- “Seagoing ship”: a seagoing ship of 300 gross tonnage or more, or any seagoing ship carrying a dangerous substance as referred to in article 3, part g, or a harmful substance as referred to in article 3, part h, of the Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ 2002 L 131).
- “Dangerous goods”:
 - goods classified in the IMDG Code;
 - dangerous liquid substances listed in Chapter 17 of the IBC Code;
 - liquefied gases listed in Chapter 19 of the IGC Code;
 - goods classified in the IMSBC-code;
 - solids referred to in Appendix B of the BC Code;
 - also included are goods for the carriage of which appropriate preconditions have been laid down in accordance with paragraph 1.1.3 of the IBC Code or paragraph 1.1.6 of the IGC Code.

- "Polluting goods":
 - oils as defined in Annex I to the MARPOL Convention;
 - noxious liquid substances as defined in Annex II to the MARPOL Convention;
 - harmful substances as defined in Annex III to the MARPOL Convention.

- "Port authority": the competent authority or body designated by Member States for each port to receive and pass on information reported pursuant to this Directive;

Article 2 Notifications of seagoing ships prior to arrival

A seagoing ship underway to a berth located in the municipality must notify the following information to the Harbour Master:

- a. point of entry - sea or hinterland;
- b. name of the captain;
- c. number of the Pilot Exemption Certificate (if applicable);
- d. any particulars relating to the ship (defects, damage, limitations);
- e. draught in metres in salt water rounded to 2 decimal places;
- f. name of the pilot company to be deployed (if applicable);
- g. name of the towage company to be deployed (if applicable);
- h. number of tugboats to be deployed (if applicable);
- i. name of the boatman company to be deployed (if applicable);
- j. name of the shipping agent;
- k. name of the contact person at the shipping agent;
- l. details of the berth;
- m. details of the ship's mooring position on the berth;
- n. of tankers with empty cargo tanks:
 - 1°. correct technical name of the last dangerous substance or pollutant;
 - 2°. UN numbers where they exist; and;
 - 3°. IMO hazard classes in accordance with the IBC and IGC Codes where they exist;
- o. If a space, or if the cargo has been fumigated with a gas or a substance which releases gas, the following must also be notified:
 - 1°. the nature of the fumigated cargo;
 - 2°. the chemical or technical name of the fumigant used;
 - 3°. the fumigated space or the stowage position of the fumigated cargo;
 - 4°. the date and the place or port where the cargo was fumigated;
 - 5°. the spaces that have been ventilated after treatment with a fumigant;
 - 6°. whether suitable gas measuring equipment is available on board for the measurement of concentrations of fumigant gas;
 - 7°. whether spaces have been checked prior to arrival for the presence of a fumigant gas with indication of the space and the measured value in parts per million per volume fumigant gas; and
- p. the location on board of the helicopter landing area.

Article 3

A seagoing ship going to load dangerous or polluting substances must notify the following information to the Harbour Master:

- a. call reference number;
- b. ship's identification information:
 - 1°. name;
 - 2°. call sign, and;
 - 3°. IMO identification number or MMSI number;
- c. berth where the dangerous or polluting substances are going to be loaded;
- d. correct technical names of the dangerous or polluting substances;

- 1°. UN numbers where they exist; and;
- 2°. MO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship as defined by the INF Code;
- 3°. for Class 8: the Packing Group
- 4°. for the Classes: 2.1, 2.3, 3, 5.2, 6.1 and 8, whether these substances are transported in tank containers;
- 5°. the gross weights per UN number;
- 6°. for Class 1, the net explosive mass.

Article 4 Notifications of a seagoing ship when shifting berth

A seagoing ship underway from a berth located in the municipality to another berth located in that municipality must notify the following information to the Harbour Master:

- a. call reference number;
- b. identification of the seagoing ship:
 - 1°. name;
 - 2°. call sign, and;
 - 3°. IMO identification number or MMSI number;
- c. name of the captain;
- d. number of the Pilot Exemption Certificate (if applicable);
- e. any particulars relating to the ship (defects, damage, limitations);
- f. number of persons on board;
- g. draught in metres in salt water rounded to 2 decimal places;
- h. name of the pilot company to be deployed (if applicable);
- i. name of the towage company to be deployed (if applicable);
- j. number of tugboats to be deployed (if applicable);
- k. name of the boatman company to be deployed (if applicable);
- l. name of the shipping agent;
- m. name of the contact person at the shipping agent;
- n. estimated time of departure (ETD) from the berth;
- o. details of the berth;
- p. details of the ship's mooring position on the berth; and
- q. for tankers with empty cargo tanks:
 - 1°. correct technical name of the last dangerous substance or pollutant;
 - 2°. UN numbers where they exist; and;
 - 3°. IMO hazard classes in accordance with the IBC and IGC Codes where they exist.

Article 5 Notifications of a seagoing ship upon departure

A seagoing ship departing from a berth located in the municipality to a berth located outside that municipality must notify the following information to the Harbour Master:

- a. call reference number;
- b. identification of the seagoing ship:
 - 1°. name;
 - 2°. call sign, and;
 - 3°. IMO identification number or MMSI number;
- c. point of exit - sea or hinterland
- d. name of the captain;
- e. number of the Pilot Exemption Certificate (if applicable);
- f. any particulars relating to the ship (defects, damage, limitations);
- g. number of persons on board;
- h. draught in metres in salt water rounded to 2 decimal places;
- i. name of the pilot company to be deployed (if applicable);
- j. name of the towage company to be deployed (if applicable);

- k. number of tugboats to be deployed (if applicable);
- l. name of the boatman company to be deployed (if applicable);
- m. name of the shipping agent;
- n. name of the contact person at the shipping agent;
- o. estimated time of departure (ETD) from the berth, and;
- p. for tankers with empty cargo tanks:
 - 1°. correct technical name of the last dangerous substance or pollutant;
 - 2°. UN numbers where they exist; and;
 - 3°. IMO hazard classes in accordance with the IBC and IGC Codes where they exist.

Article 6 Notification time

- 1. The notification referred to in article 2 must be made at least 24 hours prior to arrival at the berth, unless:
 - a. the destination is known at the time of departure from the previous port and the duration of the voyage is less than 24 hours; in that case, the notification must be made at the latest at the time when the ship leaves the previous port;
 - b. if the destination is not known at the time of departure from the previous port, or if the destination is changed during the journey, the notification must be made as soon as the destination is known; or;
 - c. if the ship has a draught of 14.10 metres or more (salt water), then the notification referred to in article 2 must be made at least 48 hours prior to arrival at the berth.
- 2. The notification as referred to in article 3 must be made as soon as possible after arrival but no later than 3 hours prior to commencement of loading.
- 3. The notification as referred to in article 4 must be made:
 - a. at least 12 hours prior to the ship's departure from the berth if pilot or towage services are required, or;
 - b. in other cases, at least 6 hours prior to the ship's departure from the berth.
- 4. The notification as referred to in article 5 must be made:
 - a. at least 12 hours prior to the ship's departure from the berth if pilot or towage services are required, or;
 - b. if the ship has a draught of 14.10 metres or more (salt water), then the notification referred to in article 5 must be made at least 12 hours prior to departure from the berth, or;
 - c. in other cases, at least 6 hours prior to the ship's departure from the berth.

Article 7 Notification of changes to the information submitted

Any changes to information notified in accordance with articles 2, 3 and 4, and any changes of more than 30 minutes in the arrival or departure time previously notified must be submitted immediately and updates must be sent up to the moment of arrival or departure respectively.

Article 8 Method of notification

The notification as referred to in articles 2, 3, 4 and 5, must be made electronically, using a form adopted by the Harbour Master, through the notification portal of the Harbour Master in the Port Community System.

Article 9 - Effective date

This Decree will enter into force 3 days after its publication in an Announcement to Shipping IJmond North Sea Canal Area Central Nautical Management (BASIJN).

Article 10 - Short title

The Regulation may be cited as: Regulation on the Notification of Seagoing Ships North Sea Canal Area 2019.

Adopted on behalf of the Mayor and Aldermen on 03 January 2020.

The Director of the Public Body Central Nautical Management,

A handwritten signature in purple ink, appearing to read 'J.H.M. Mateyo', is enclosed in a thin black rectangular border.

J.H.M. M. Mateyo

Explanatory notes

Article 3 is new as compared to the previous Decree, of which the rest remains unchanged. Article 3 serves to determine whether a ship still complies with the berth zoning plan on the basis of Article 7.1 of the Regional Port Bye-Laws for the North Sea Canal Area 2019.