



Notification Number: 2016/617/UK

Draft Approval of freight containers -Arrangements in Great Britain (the Green Guide)

Date received : 28/11/2016

End of Standstill : 01/03/2017

Message

Message 001

Communication from the Commission - TRIS/(2016) 03598

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelerítés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2016/0617/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéket - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201603598.EN)

1. Structured Information Line

MSG 001 IND 2016 0617 UK EN 28-11-2016 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Energy & Industrial Strategy
Europe Directorate
1 Victoria Street
London, SW1H 0ET

Email: technicalregulations@beis.gov.uk

3. Originating Department

Health and Safety Executive
Engagement and Policy Division



Redgrave Court
Bootle
L20 7 HS
FCSCRegulationsreview@hse.gov.uk

4. Notification Number

2016/0617/UK - I40

5. Title

Draft Approval of freight containers -Arrangements in Great Britain (the Green Guide)

6. Products Concerned

The draft Guidance applies to the great majority of containers that are used for international freight except for those specifically designed for carriage by air. The scope is limited to containers of a minimum prescribed size having corner fittings.

7. Notification Under Another Act

-

8. Main Content

This draft Guidance along with the Draft Freight Containers (Safety Convention) Regulations 2017 and Draft Freight container examination schemes or programmes - Conditions for approval (the Yellow guide), which are separately notified, implement the UK (in GB) obligations under the International Convention for Safe Containers, 1972, as amended by resolutions MSC.310 (88) and resolution MSC.355(92) ("C.S.C.").

Regulations 4 and 5 of the draft Freight Containers (Safety Convention) Regulations 2017 impose a condition that a container must have a valid approval issued by the Health and Safety Executive or by a person or an organisation which it has appointed for that purpose, or by or under the authority of a foreign Government which has acceded to the C.S.C.

This draft Guidance sets out the arrangements for the approval of containers in Great Britain.

A container design must be approved and satisfy all the appropriate technical testing requirements set out in Annex II of the C.S.C or, if appropriate to the design in question, those tests specified by International Standard 1496 (ISO 1496), being tests which are equivalent to those specified in the C.S.C. For new container series the manufacturers are required to have control measures in place to ensure the series comply with the safety and testing requirements in the C.S.C.

Approved containers are required to display a valid safety approval plate. The content and form of the safety approval plate is set out in the draft Freight Containers (Safety Convention) Regulations 2017.

Paragraphs 11 to 28 set out the requirements for an approval.

In accordance with the C.S.C. Containers operated in the GB area may be subject to restrictions where there is significant evidence for believing that the condition of the container is such as to create an obvious risk to safety. Restrictions might include an immediate out of service determination. Such restrictions may only be imposed by an authorised Health and Safety Executive officer. See paragraph 36.



9. Brief Statement of Grounds

The draft Regulations and new Guidance are required to implement the UK obligations (in Great Britain) under the International Convention for Safe Containers, 1972, as amended by resolutions MSC.310 (88) and resolution MSC.355(92) ("the C.S.C.").

The CSC, introduced by the International Maritime Organisation (IMO) is aimed at preventing maritime incidents involving containers through test procedures and strength requirements. It sets a framework within which shipping firms can safely operate their container fleets internationally.

The CSC is an international treaty that the UK ratified in 1978.

The UK employs secondary legislation in the form of Regulations to implement the CSC. Guidance sets out the arrangements for container approvals and for ongoing examinations.

The original implementing Regulations the Freight Containers (Safety Convention) Regulations 1984 are now considerably out of date and need to be replaced to implement time critical updates to the C.S.C.

Without the proposed Regulations and Guidance the UK will not meet their international treaty obligations under the C.S.C.

10. Reference Documents - Basic Texts

References of the Basic Texts: International Convention for Safe Containers 1972, as amended. Relevant amending resolutions; MSC.310(88) which came into force on 1st January 2012, and resolution MSC.355 (92) which came into force on 1st July 2014. (2016/0616/UK)

Basic Texts have been forwarded within the framework of a previous notification: 2016/616/UK

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

European Commission

Contact point Directive (EU) 2015/1535

Fax: +32 229 98043

email: grow-dir83-189-central@ec.europa.eu