
ANNEX 5

**RESOLUTION MSC.406(96)
(adopted on 13 May 2016)**

**AMENDMENTS TO THE INTERNATIONAL MARITIME
DANGEROUS GOODS (IMDG) CODE**

THE MARITIME SAFETY COMMITTEE,

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

NOTING resolution MSC.122(75) by which it adopted the International Maritime Dangerous Goods Code ("the IMDG Code"), which has become mandatory under chapter VII of the International Convention for the Safety of Life at Sea, 1974, ("the Convention"),

NOTING ALSO article VIII(b) and regulation VII/1.1 of the Convention concerning amendment procedure for amending the IMDG Code,

HAVING CONSIDERED, at its ninety-sixth session, amendments to the IMDG Code, proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1. ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the IMDG code, the text of which is set out in the annex to the present resolution;
2. DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 July 2017, unless prior to that date, 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, the amendments shall enter into force on 1 January 2018 upon their acceptance in accordance with paragraph 2 above;
4. AGREES that Contracting Governments to the Convention may apply the aforementioned amendments in whole or in part on a voluntary basis as from 1 January 2017;
5. REQUESTS the Secretary-General, for the purposes of article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the consolidated text of the amendments contained in the annex to all Contracting Governments to the Convention;
6. REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX
**AMENDMENTS TO THE INTERNATIONAL MARITIME
DANGEROUS GOODS (IMDG) CODE
AMENDMENT 38-16**

The complete text of the IMDG Code is replaced with the following:

(The complete text of the IMDG Code can be found in the “Report of the Maritime Safety Committee on its Ninety-Sixth Session” (MSC 96/25/Add.2) 11 July 2016).