



## THE DANGEROUS CARGOES ACT, 1953



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# THE DANGEROUS CARGOES ACT, 1953

## <sup>1</sup>ACT NO. V OF 1953

[15<sup>th</sup> April, 1953]

**An Act <sup>2</sup>[to make further provision for] the safety of ports in respect of the transit, working and storage of dangerous cargoes and matters incidental thereto.**

WHEREAS it is expedient <sup>2</sup>[ to make further provision for] the safety of ports in respect of the transit, working and storage of dangerous cargoes and matters incidental thereto ;

It is hereby enacted as follows :—

**1. Short title, extent and commencement.**—(1) This Act may be called the Dangerous Cargoes Act, 1953.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

<sup>3</sup>**2. Definitions.** In this Act,—

(1) “dangerous cargoes” means any cargoes containing—

(a) any goods shown as explosives in the Comprehensive Classified List of Government Explosives compiled and issued by the Explosive <sup>4</sup>[Storage] and Transport Committee which has been accepted and approved by the <sup>5</sup>[Federal Government] or any ammunition; or

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<sup>1</sup> For Statement of Object and Reasons, see Gaz. of P., 1953, Pt. IX, p. 4.

<sup>2</sup> Subs. by the Dangerous Cargoes (Amdt.) Act, 1954 (13 of 1954), s. 2, for “to provide for special powers relating to”.

<sup>3</sup> Subs. by the Dangerous Cargoes (Amdt.) Act, 1954 (13 of 1954), s. 3, for the original section 2.

<sup>4</sup> Subs. by the Dangerous Cargoes (Amdt.) Act, 1974 (43 of 1974), s. 2, for “storage”.

<sup>5</sup> Subs. *ibid.*, s. 7, for “Central Government”.

(b) petroleum, as defined in clause (a) of section 2 of the Petroleum Act, 1934, when the flashing point of such petroleum is below one hundred and fifty degrees Fahrenheit ;

<sup>1</sup>[(c) prohibited dangerous goods, that is to say, goods classified as dangerous in the International Maritime Dangerous Goods Code or the Government Stowage Instructions as revised from time to time by the Federal Government ; or]

(d) any cargoes which are liable to fire or explosion and which are declared by the <sup>2</sup>[Federal Government] by notification <sup>3</sup>in the official Gazette to be dangerous cargoes for the purposes of this Act.

(2) “Fortress Commander” means an officer of the armed forces appointed as such by the <sup>2</sup>[Federal Government] by a notification in the official Gazette.]

**3. Measures for the safety of ports.** The <sup>2</sup>[Federal Government] may make such orders as appear to it to be necessary or expedient for securing the safety of any port and preventing or dealing with explosions and fires on vessels carrying dangerous cargoes within the limits of any port, and generally for the transit working and storage of dangerous cargoes and matters incidental thereto.

**4. Power to make Rules.** —(1) The <sup>2</sup>[Federal Government] may by notification in the official Gazette, make such rules as appear to it to be necessary or expedient for carrying the purposes of this Act into effect.

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<sup>1</sup> Subs. by the Dangerous Cargoes (Amdt.) Act, 1974 (43 of 1974), s. 2.

<sup>2</sup> Subs. *ibid.*, s. 7, for “Central Government”.

<sup>3</sup> For such notifes, see *Gaz. of Pak. 1955 Ext. pp. 1353—1375*.

(2) Without prejudice to the generality of the foregoing power such rules may provide for all or any of the following, namely :—

- (a) the constitution, mobilization, enrolment, discipline, equipment,, duties, privileges, and protection of fire-brigades and fire services in or near any port ;
- (b) the powers to be conferred and duties to be imposed on any officer or authority for the purposes of this Act ;
- (c) the mobilization and control of any Government, State or Municipal service, or private organization, by the Fortress Commander in the event of the declaration of an emergency or apprehended emergency due to fire or explosion.

**5. Declaration of emergency.** The existence of an emergency or apprehended emergency <sup>1</sup>[due to fire or explosion] shall be declared by the Fortress Commander on the advice of the <sup>2</sup>[Chief of the Naval Staff].

**6. Powers of the <sup>3</sup>[Chief of the Naval Staff].**—Without prejudice to any other powers which may be conferred on him under this Act, the <sup>3</sup>[Chief of the Naval Staff] may—

- (a) issue orders requiring measures to be taken for the safety or vessels in a port and against or in respect of fire ;
- (b) issue orders to the owner or master of any vessel in port requiring him,—
  - (i) to take such steps as may be mentioned in the order for the detection and combating of fire ;

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<sup>1</sup> Ins. by the Dangerous Cargoes (Amdt.) 1954, (13 of 1954), s. 4.

<sup>2</sup> The original words "Commander-in-Chief of the Royal Pakistan Navy". Which were previously amended by the A.O. 1961 Art. 2 and Sch. has been subs. by the Dangerous Cargoes (Amdt.) Act, 1974 (43 of 1974), s. 3. to read as above.

<sup>3</sup> Subs. *ibid.*, s. 4.