

提升商港區域危險物品安全管理先期計畫摘要表

聯合國所屬之專業機構——國際海事組織為發展危險貨物運輸及港區相關活動法規的成員國家，提供建議施行的準則，因而發布了「IMO 港區建議書」，供各成員國家據以訂定港區危險物品之法規。此規範可做為我國港區危險物品安全管理之藍本。

根據「IMO 港區建議書」，確保危險貨物在港區的安全運輸與操作，端賴於：1.貨方謹守危險貨物之國際及國家規定；2.港區設施及作業管理的完善；3.船舶於港區的安全操作；以及 4.主管機關周全的法規制定等四方面的交互運作下，方能圓滿達成。

本計畫於實務方面，參照澳洲「港區危險物品操作及運輸國家標準」，並前往新加坡港實地參訪，編製成「港區危險物品作業手冊(包裝件型式)」。再從手冊擷取裝卸及倉儲、設備配置之相關部分，導入本國既有法規命令，完成「港區裝卸與倉儲安全標準作業流程建議草案」、及「港區危險物品設備配置安全措施規則草案」，分別供碼頭、船舶及貨方裝卸與倉儲相關作業人員遵循；及供碼頭、貨櫃集散站及倉庫設備配置安全措施管理遵循之用。

上述三套作業指南若未對所有作業人員施以職能相稱之培訓，則無法廣為認知及順利推行，故本計畫亦準此設計訓練課程，輔以實際教學，以確認整體規劃之有效性。

「IMO 港區建議書」明確規定，所有危險物品不論從海路或陸路，運入港區之前，都必須先符合「國際海運危險品章程」的要求。因此在危險物品海運方面，建議修訂船舶法(船舶危險品裝載規則)及相關法規命令；援引我國有關聯合國系統之危險物品分類、辨識及包裝物等國家標準；並補足對應於「國際海運危險品章程」之不足項目。在港區危險物品管理方面，則建議修訂商港法(商港港務管理規則)及相關法規命令，以便儘早與「IMO 港區建議書」規範接軌。

最後，呼籲推動跨部會合作，在公路運輸方面也落實「歐盟公路運輸協議」，則可保障進港之危險物品皆已符合聯合國「模式規範」。由於我國空運法規大致已與國際規則接軌，如此在海陸空各運輸模式上，即可互相調和，且與國際社群一致，從而全面提升我國危險品運輸之安全標準。

Abstract: Preliminary Project for the Enhancement of Safety Management of Dangerous Goods in Port Area

International Maritime Organization, a specialised agency of the United Nations, provides guidelines for Member States that were in the process of developing the regulation of the transport of dangerous goods and related activities in their ports to implement IMO Recommendations which can be applied as the blueprint for the enhancement of safety management of dangerous goods in Taiwan port areas.

According to IMO Recommendations, to ensure the safe transport and handling of dangerous goods, it can only be achieved by the interreaction among four sectors: 1. Cargo interest's full compliance with international and national regulations; 2. Port area's well management of facilities and operation; 3. Ship's safe handling in port area; 4. Authority's completeness in regulatory stipulation.

Considering Australian Standard "The Handling and Transport of Dangerous Cargoes in Port Areas" in practice then actually visiting Singapore port, the project generates an "Operational Manual of Dangerous Cargoes (Packaged Form) in Port Area". In addition, the project compiles the related sections in the Manual and incorporates the existing national regulations to outputs "Suggestive Draft for the Safe Standard Handling Procedure of Loading, Discharge and Warehousing in the Port Area" and "Draft Regulation for the Equipment Configuration and Safety Measures in Port Area". These two guides are for the application of the corresponding operational people with respect to loading, discharge and warehousing in terminal, ship and cargo interest; and for the following of equipment configuration and safety measures in terminal, container yard and warehouse, respectively.

The above-mentioned three operational guides will not be widely acknowledged and successfully promoted without conducting specific training commensurate to the job function of all the people involved. The project thus designs curriculum on this basis and delivers the course to make sure the planning is effective in every respect.

IMO Recommendations clearly indicates that prior to the entrance into port area, either by sea or by road, all dangerous cargoes shall comply fully with the requirements of IMDG Code. Therefore, in respect of transport of dangerous goods by sea, we suggest the revision of the existing "The Law of Ships" ("Regulation of the Loading and Carriage of Dangerous Goods by Ship") and its related regulations, and applying the national standards regarding to the classification, identification and packaging of UN system; meanwhile supplementing the missing contents comparing to those in IMDG Code. And in respect of management of dangerous goods in port area, we suggest the renewal of the current "The Commercial Port Law" ("The Regulations on Port Services at Commercial Ports") and its related regulations in order to keep up with IMO Recommendations.

Finally we call for the collaboration among different departments in MOL to apply the requirements of ADR for the transport of dangerous goods by road. This will guarantee the compliance with Modal Regulation of all dangerous good when they deliver to port area. As the joint to international air regulation is mostly done by CAA, this will harmonize transport modals by sea, road and air, be consistent with the international communities and eventually enhance the safe standard for the transport of dangerous goods of all modes in our country.