INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 AND 1978 PROTOCOL (RATIFICA TION AND ENFORCEMENT) ACT

ARRANGEMENT OF SECTIONS

SECTION

SCHEDULE

FIRST SCHEDULE

International Convention for the Prevention of Pollution from Ships, 197

SECOND SCHEDULE

Protocol of 1978 *relating to the International Conventionfor Prevention of Pollution from Ships,* 1973

INTERNA TIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 AND 1978 PROTOCOL (RA TIFICATION AND ENFORCEMENT) ACT

An Act to enable effect to be given in the Federal Republic of Nigeria to the International Convention for the Prevention of Pollution from Ships, 1973 and the 1978 Protocol; and for related matters.

[2007 No. 54.]

[April,2007]

[Commencement.]

ENACTED by the National Assembly of the Federal Republic of Nigeria.

WHEREAS the International Convention for the Prevention of Pollution from Ships (in this Act referred to as "the Convention") was adopted by diverse Countries in London, United Kingdom at the International Maritime Organisation on 2nd day of November, 1973;

AND WHEREAS the Convention was modified by the Protocol relating to the International Convention for the Prevention of Pollution from Ships (in this Act referred to as "the Protocol") and was adopted by diverse countries in London, United Kingdom on the 17th day of February, 1978;

AND WHEREAS the Convention and the Protocol are collectively referred to as International Convention for the Prevention of Pollution from Ships 1973 and 1978 Protocol;

AND WHEREAS the Federal Republic of Nigeria has duly signed and ratified the International Convention for the Prevention of Pollution from Ships 1973 and the 1978 Protocol and is desirous of giving effect to the Convention in the Federal Republic of Nigeria;

AND WHEREAS it is necessary and expedient to make legislative provisions for the enforcement of the Convention in the Federal Republic of Nigeria.

1. Enforcement of the Treaty on International Convention for the Prevention of Pollution from Ships, 1973 and 1978 Protocol

As from the commencement of this Act, the Provisions of the International Convention for the Prevention of Pollution from Ships 1973 and the 1978 Protocol set out in the First and Schedules to this Act, shall-

(a) have the force of law in Nigeria;

(b) be given full recognition and effect; and

(c) be applied by all authorities and persons exercising legislative, executive and judicial powers.

2. Short title

This Act may be cited as the International Convention for the Prevention of Pollution from Ships 1973 and the 1978 Protocol (Ratification and Enforcement) Act, 2007.

SCHEDULES

FIRST SCHEDULE

international Convention for the Prevention of Pollution from Ships, 1973

The Parties to the Convention

BEING CONSCIOUS of the need to preserve the human environment in general and the marine environment in particular,

RECOGNISING that deliberate, negligent or accident release of oil and other harmful substances from ships constitutes a serious source of pollution,

RECOGNISING ALSO the importance of the International Convention for the Prevention of pollution of the Sea by Oil, 1954, as being the first multilateral instrument to be concluded with the prime objective of protecting the environment, and appreciating the significant contribution which that Convention has made in preserving the seas and costal environment from pollution,

DESIRING to achieve the complete elimination ofInternational Pollution of the Marine Environment by Oil and harmful substances and the minimisation of accidental discharge of such substances,

CONSIDERING that this objective may best be achieved by establishing rules not limited to oil pollution, having a universal support, HAVE AGREED as follows:

ARTICLE 1

General Obligations under the Convention

(1) The parties to the Convention undertakes to gives effect to the provisions of the present Convention and those Annexes thereto by which they are bound, in order to prevent the pollution of the marine environment by the discharge of harmful substances or effluents containing such substance in contravention of the Convention.

(2) Unless expressly provided otherwise, a reference to the present Convention constitutes at the same time a reference to its Protocols to the Annexes.

ARTICLE 2

Definitions

For the purpose of the present Convention, unless expressly provided otherwise-

(1) **"Regulations"** means the Regulations contained in the Annexes to the present Convention.

(2) **"Harmful substance"** means any substance which, if into the sea, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea, and includes any substance subject to control by the present Convention.

(3) (a) **"Discharge"** in relation to harmful substances or effiuents containing such substances, means any release howsoever caused from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying.

(b) **"Discharge"** does not include-

(i) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Waste and Other Matter, done at London on 13 November 1972; or

(ii) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or

(iii) release of harmful substances for purpose of legitimate scientific research into pollution abatement or control.

(4) **"Ship"** means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

(5) **"Administration"** means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploitation and exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

(6) **"Incident"** means an event involving the actual or probable discharge into the sea of a harmful substance, or effiuents containing such a substance.

(7) **"Organisation"** means the Inter-Governmental Maritime Consultative Organisation.

ARTICLE 3

Application

(1) The present Convention shall apply to---

(a) ships entitled to fly the flag ofa Party to the Convention; and

(b) ships not entitled to fly the flag ofa Party but which operate under the authority of a Party.

(2) Nothing in the present Article shall be construed as derogating from or extending the sovereign rights of the Parties under international law over the sea-bed and-subsoil thereof adjacent to their coasts for the purpose of exploration and exploitation of their natural resources.

(3) The present Convention shall not apply to any warship, naval auxiliary or other ship owned operated by a State and used, for the time being, only on government non-commercial service. However, each Party shall ensure by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, as far as is reasonable and practicable with the present Convention.

ARTICLE 4

Violation

(1) Any violation of the requirement thereof of the present Convention shall be prohibited, and sanctions shall be established therefore under the law of the Administration of the ship concerned the violation occurs. If the Administration is informed of such a violation and is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible, in accordance with its law.

(2) Any violation of the requirements of the present Convention within the jurisdiction of any Party to the Convention shall be prohibited and sanctions shall be established thereof under the law of that Party. Whenever such a violation occurs, that Party shall either-

(a) cause proceeding to be taken in accordance with its law; or

(b) furnish to the administration of the ship such information and evidence as may be in its possession that a violation has occurred.

(3) Where information or evidence with respect to any violation of the present Convention by a ship is furnished to the administration of that ship, the administration shall promptly inform the Party which has furnished the information or evidence, and the Organisation, of the action taken.

(4) The penalties specified under the law of a Party pursuant to the present Article, shall be adequate in severity to discourage violations of the present Convention and shall be equally severe irrespective of where the violations occur.

ARTICLES

Certificates and Special Rules on inspection of Ships

(1) Subject to the provisions of paragraph (2) of the present Article a certificate issued under the authority of a Party to the Convention in accordance with the provisions of the Regulations shall be accepted by the other Parties and regarded for all purposes covered by the present Convention as having the same validity as a certificate issued by them.

(2) A ship required to hold a certificate in accordance with the provisions of the Regulations is subject, while in the ports or off-shore terminals under the jurisdiction of a Party, to inspection by officers duly authorised by that Party. Any such inspection shall be limited to verifying that there is on board a valid certificate, unless there are clear grounds for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of that certificate. In that case, or if the ship does not carry a valid certificate, the Party carrying out the inspection shall take such steps as will ensure that the ship shall not sail until it can proceed to sea without presenting an unreasonable threat of harm to the marine environment. That Party may, however, grant such a ship permission to leave the port or off-shore terminal for the purpose of proceeding to the nearest appropriate repair yard available.

(3) If a Party denies a foreign ship entry to the ports or off-shore terminals under its jurisdiction or takes any action against such a ship for the reason that the ship does not comply with the provisions of the present Convention, the Party shall immediately inform the consul or diplomatic representative of the Party whose flag the ship is entitled to fly, or if this is not possible, the Administration of the ship concerned. Before denying entry or taking such action the Party may request consultation with the Administration of the ship concerned. Information shall also be given to the Administration when a ship does not carry a valid certificate in accordance with the provisions of the Regulations.

(4) With respect to the ships of non-Parties to the Convention, Parties shall apply the requirements of the present Convention as may be necessary to ensure that no more favourable treatment is given to such Ships.

ARTICLE 6

Detection of Violations and Enforcement of the Convention

(1) Parties to the Convention shall co-operate in the detection of violations and the enforcement of the provisions of the present Convention, using all appropriate and practicable measures of detection and environmental monitoring adequate procedures for reporting and accumulation of evidence.

(2) A ship to which the present Convention applies may, in any port or off-shore terminal of a Party, be subject to inspection by officers appointed or authorised by that Party for the purpose of verifying whether the ship has discharged any harmful substances in violation of the provisions of the Regulations. If an inspection indicates a violation of the Convention, a report shall be forwarded to the Administration for any appropriate action.

(3) Any Party shall furnish to the Administration evidence, if any that the ship has discharged harmful substances or effluents containing such substances in violation of the provisions of the Regulations. If it is practicable to do so, the competent authority of the former Party shall notify the Master of the ship of the alleged violation.

(5) Upon receiving such evidence, the Administration so informed shall investigate the matter, and may request the other Party to furnish further or better evidence of the alleged contravention. If the Administration is satisfied that sufficient evidence is available to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to

be taken in accordance with its Jaw as soon as possible. The Administration shall promptly inform the Party which has reported the alleged violation, as well as the Organisation, of the action taken.

(6) A Party may also inspect a ship to which the present Convention applies when it enters the ports of off-shore terminals under its jurisdiction, if a request for an investigation is received from any Party together with sufficient evidence that the ship has discharged harmful substances or effluents containing such substances in any place. The report of such investigation shall be sent to the Party requesting it and to the Administration so that the appropriate action may be taken under the present Convention.

ARTICLE 7

Undue Delay to Ships

(1) All possible efforts shall be made to avoid a ship being unduly detained or delayed under Article 4, 5 or 6 of the present Convention.

(2) When a ship is unduly detained or delayed under Article 4, 5 or 6 of the present Convention, it shall be entitled to compensation for any loss or damage suffered.

ARTICLE 8

Reports on Incidents involving Harmful Substances

(1) A report of an incident shall be made without delay to the fullest extent possible in accordance with the provisions of Protocol 1 to the present Convention.

(2) Each Party to the Convention shall-

(a) make all arrangements necessary for an appropriate officer or agency to receive and process all reports on incidents; and

(b) notify the Organisation with complete details of such arrangement for circulation to other Parties and Member States of the Organisation.

(3) Whenever a Party receives a report under the provisions of the present Article, that Party shall relay the report without delay to--

(a) the Administration of the ship involved; and

(b) any other State which may be affected.

(4) Each Party to the Convention undertakes to issue instructions to its maritime inspection vessels and aircraft and to other appropriate services, to report to its authorities. any incident referred to in Protocol I to the present Convention. That Party shall, if it considers it appropriate, report accordingly to the Organisation and to any other Party concerned.

ARTICLE 9

Other Treaties and Interpretation

(1) Upon its entry into force, the present Convention supersedes the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended as between Parties to that Convention.

(2) Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nation Conference on the Law of the Sea convened pursuant to Resolution 2750C(XXY) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

(3) The term "jurisdiction" in the present Convention shall be construed in the light of international law in force at the time of application or interpretation of the present Convention.

ARTICLE 10

Settlement of Disputes

Any dispute between two or more Parties to the Convention concerning the interpretation or application of the present Convention shall, if settlement by negotiation between the Parties involved has not been possible, and if these Parties do not otherwise agree, be submitted upon request of any of, them to arbitration as set out in Protocol II to the present Convention.

ARTICLE 11

Communication of Information

(1) The Parties to the Convention undertake to communicate to the Organisation-

(a) the text of laws, orders, decrees and regulations and other instruments which have been promulgated on the various matters within the scope of the present Convention;

(b) a list of non-Governmental agencies which are authorised to act on their behalf in matters relating to the design, construction and equipment of ships carrying harmful substances in accordance with the provisions of the regulations;

(c) a sufficient number of specimens of their certificates issued under the provisions of the Regulations;

(d) a list of reception facilities including their location, capacity and available facilities and other characteristics;

(e) official reports or summaries of official reports in so far as they show the results of the application of the present Convention; and

(f) an annual statistical report, in a form standardised by the Organisation, of penalties actually imposed for infringement of the present Convention.

(2) The Organisation shall notify Parties of the receipt of any Communications under the present Article and circulate to all Parties any information communicated to it under subparagraphs (1) (*b)* to (f) of the present Article.

ARTICLE 12

Casualties to Ships

(1) Each Administration undertakes to conduct an investigation of any casualty occurring to any of its ships subject to the provisions of the Regulations if such casualty has produced a major or deleterious effect upon the marine environment.

(2) Each Party to the Convention undertakes to supply the Organisation with information concerning the findings of such investigation, when it judges that such information may assist in determining what in the present convention might be desirable.

ARTICLE 13

Signature, Ratification, Acceptance, Approval and Accession

(1) The present convention shall remain open for signature at the Headquarters of the Organisation from 15 January, 1974, until 31 December, 1974 and shall thereafter remain open for accession. States may become Parties to the present convention by-

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

(2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organisation.

(3) The Secretary-General of the Organisation shall inform all States which have signed the present Convention or acceded to it, of any signature or of the deposit of any new instrument of ratification, acceptance, approval or accession and the date of its deposit.

ARTICLE 14

Optional Annexes

(1) A State may at the time of signing, ratifying, accepting, approving or acceding to the present Convention declare that it does not accept anyone or all of Annexes III, IV and V (hereinafter referred to as "Optional Annexes") of the present Convention. Subject to the above, Parties to the Convention shall be bound by any Annex in its entirety.

(2) A State which has declared that it is not bound by an Optional Annex may at any time accept such Annex by depositing with the Organisation an instrument of the kind referred to in Article 13 (2).

(3) A State which makes a declamation under paragraph (1) of the present Article in respect of an Optional Annex and which has not subsequently accepted that Annex in accordance with paragraph (2) of the present Article shall not be under any obligation nor entitled to claim any privileges under the present Convention in respect of matters related to such Annex and all references to Parties in the present convention shall not include that State in so far as matters related to such Annex are concerned.

(4) The Organisation shall inform the States which have signed or acceded to the present Convention of any declaration under the present Article as well as the receipt of any instrument deposited in accordance with the provisions of paragraph (2) of the present Article.

ARTICLE 15

Entry into Force

(1) The present Convention shall enter into force twelve months after the date on which not less than 125 States, the combined merchant fleets of which constitute not less than fifty percent of the gross tonnage of the world's merchant shipping, have become parties to it in accordance with Article 13.

(2) An Optional Annex shall enter into force twelve months after the date on which the conditions stipulated in paragraph (1) of the present Article have been satisfied in relation to that Annex.

(3) The Organisation shall inform the States which have signed the present Convention or acceded to it of the date on which it enters into force and of the date on which an Optional Annex enters into force in accordance with paragraph (2) of the present Article.

(4) For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Convention or any Optional Annex after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the Convention or such Annex or three months after the date of deposit of the instrument whichever is the later date.

(5) For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which the Convention or an Optional Annex entered into force, the Convention or the Optional Annex shall become effective three months after the date of deposit of the instrument.

(6) After the date on which all the conditions required under Article 16 to bring an amendment to the present convention or an Optional Annex into force have been fulfilled, any

instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention or Annex as amended.

ARTICLE 16

Amendments

(1) The present convention may be amended by any of the procedures specified in the following paragraphs.

(2) Amendment after consideration by the Organisation-

(a) any amendment proposed by a Party to the Convention shall be submitted to the Organisation and circulated by its Secretary-General to all members of the Organisation and all Parties at least six months prior to its consideration;

(b) any amendment proposed and circulated as above shall be submitted to an appropriated body by the Organisation for consideration;

(c) parties to the Convention, whether or not Members of the Organisation, shall be entitled to participate in the proceedings of the appropriate body;

(d) amendments shall be adopted by a two-thirds majority of only the Parties to the Convention present and voting;

(e) if adopted in accordance with subparagraph *(d)* above, amendments shall be communicated by the Secretary-General of the Organisation to all the Parties to the Convention for acceptance;

(f) an amendment shall be deemed to have been accepted in the following circumstances-

(i) an amendment to an Article of the Convention shall be deemed to have been accepted on the date on which it is accepted by two-thirds of the Parties, the combined merchant fleets of which constitute not less than fifty percent of the gross tonnage ofthe world merchant fleet;

(ii) an amendment to an Annex to the Convention shall be deemed to have been accepted in accordance with the procedure specified in subparagraph (*f)* (iii) unless the appropriate body, at the time of its adoption, determines that the amendment shall be deemed to have been accepted on the date on which it is accepted by two-thirds of the Parties, the combined merchant fleets of which constitute not less than fifty percent of the gross tonnage of the world merchant fleet. Nevertheless, at any time before the entry into force of an amendment to an Annex to the Convention, a Party may notify the Secretary-General of the Organisation that its express approval will be necessary before the amendment enters into force for it. The latter shall bring such notification and the date of its receipt to the notice of Parties;

(iii) an amendment to an Appendix to an Annex to the Convention shall be deemed to have been accepted at the end of a period to be determined by the appropriate body at the time of its adoption, which period shall be not less than ten months, unless within that period an objection is communicate to the Organisation by not less than one-third of the Parties or by the Parties the combined merchant fleets of which constitute not less than fifty percent of the gross tonnage of the world's merchant fleet whichever condition is fulfilled;

(iv) an amendment to Protocol 1 to the Convention shall be subject to the same procedure as for the amendments to the Annexes to the Convention, as provided for in subparagraphs (f) (ii) or (f) (iii) above;

(v) an amendment to Protocol 11 to the Convention shall be subject to the same procedure as for the amendment to an Article of the Convention, as provided for in subparagraph (f) (i) above;

(g) the amendment shall enter into force under the following conditions-

(i) in the case of an amendment to an Article of the Convention, to Protocol or to Protocol 1 or to an Annex to the Convention not under the procedure specified in subparagraph (f) (iii), the amendment accepted in conformity with the foregoing provisions shall enter force six months after the date of its acceptance with respect to the Parties which have declared that they have accepted it;

(ii) in the case of an amendment to Protocol **1,** to an Appendix to an Annex or to an Annex to the Convention under the procedure specified in

subparagraph (f) (iii), the amendment deemed to have been accepted in accordance with the foregoing conditions shall enter into force six months after its acceptance for all the Parties with the exception of those which, before that date, have made a declaration that they do not accept it or a declaration under subparagraph (f) (ii), that their express approval is necessary.

(3) Amendment by conference-

(a) upon the request ofa Party, concurred in by at least one-third of the Parties, the Organisation shall convene a conference of Parties to the Convention to consider amendments to the present Convention;

(b) every amendment adopted by such a conference by a two-thirds majority of those present and voting of the Parties shall be communicated by the Secretary-General of the Organisation to all contracting Parties for their acceptance;

(c) unless the conference decides otherwise, the amendment shall be deemed to have been accepted and to have entered into force in accordance with the procedures specified for that purpose in paragraph (2) (f) and *(g)* above.

(4) (a) In the case of an amendment to an Optional Annex, a reference in the present Article to a "Party to the Convention" shall be deemed to mean a reference to a Party bound by that Annex.

(b) Any Party which has declined to accept an amendment to an Annex shall be treated as a non-Party only for the purpose of application of that amendment.

(5) The adoption and entry into force of a new Annex shall be subject to the same procedures as for the adoption and entry into force of an amendment to an Article of the Convention.

(6) Unless expressly provided otherwise, any amendment to the present convention made under this Article, which relates to the structure of a ship, shall apply only to ships for which the building contract is placed, or in the absence of a building contract, the keel of which is laid, on or after the date on which the amendment comes into force.

(7) Any amendment to a Protocol or to an Annex shall relate to the substance of that Protocol or Annex and shall be consistent with the Articles of the present Convention.

(8) The Secretary-General of the Organisation shall inform all Parties of any amendment which enters into force under the present Article, together with the date on which each such amendment enters into force.

(9) Any declaration of acceptance or of objection to an amendment under the present article shall be notified in writing to the Secretary-General of the Organisation. The latter shall bring such notification and the date of its receipt to the notice of the Parties to the Convention.

ARTICLE 17

Promotion of Technical Co-operation

The Parties to the Convention shall promote, in consultation with the Organisation and other international bodies, with assistance and co-ordination by the Executive Director of the United Nations Environment Programme, support for those Parties which request technical assistance for-

(a) the training of scientific and technical personnel;

(b) the supply of necessary equipment and facilities for reception and monitoring;

(c) the facilitation of other measures and arrangements to prevent or mitigate pollution of the marine environment by ships; and

(d) the encouragement of research,

preferably within the countries concerned, so furthering the aims and purposes of the present Convention.

ARTICLE 18

Denunciation

(1) The present Convention or any Optional Annex may be denounced by any Parties to the Convention at any time after the expiry of five years from the date on which the Convention or such Annex enters into force for that Party.

(2) Denunciation shall be effected by notification in writing to the Secretary-General of the Organisation who shall inform all the other Parties of any such notification received and of the date of its receipt as well as the date on which such denunciation takes effect.

(3) A denunciation shall take effect twelve months after receipt of the notification of denunciation by the Secretary-General of the Organisation or after the expiry of any other longer period which may be indicated in the notification.

ARTICLE 19

Deposit and Registration

(1) The present convention shall be deposited with the Secretary-General of the Organisation who shall transmit certified true copies thereof to all States which have signed the present convention or acceded to it.

(2) As soon as the present Convention enters into force, the text shall be transmitted by the Secretary-General of the Organisation to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 ofthe Charter ofthe United Nations.

ARTICLE 20

Languages

The present Convention is established in a single copy in the English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German, Italian and Japanese languages shall be prepared and deposited with the signed original.

Protocol of 1978 *relating to the International Convention for the Prevention of Pollution from Ships, 1973*

The Parties to the present Protocol

RECOGNISING the significant contribution which can be made by the International Convention for the Prevention of Pollution from Ships, 1973, to the protection of the marine environment from pollution from ships,

RECOGNISING ALSO the need to improve further the prevention and control of marine pollution from ships, particularly oil tankers,

RECOGNISING FURTHER the need for implementing the Regulations for the Prevention of Pollution by Oil contained in Annex I of that Convention as early and as widely as possible,

ACKNOWLEDGING HOWEVER the need to defer the application of Annex 1I of that Convention until certain technical problems have been satisfactorily resolved,

CONSIDERING that these objectives may best be achieved by the conclusion of a Protocol relating to the I nternational Convention for the Prevention of Pollution from Ships, 1973,

HA VE AGREED as follows:

ARTICLE I

General Obligations

1. The Parties to the present Protocol undertake to give effect to the provisions of-

(a) the present Protocol and the Annex hereto which shall constitute an integral part of the present Protocol; and

(b) the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as "the Convention"), subject to the modifications and additions set out in the present Protocol.

2. The provisions of the Convention and the present Protocol shall be read and interpreted together as one single instrument.

3. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

ARTICLE II

Implementation of Annex 11 of the Convention

1. Notwithstanding the provisions of Article 14 (1) of the Convention, the Parties to the present Protocol agree that they shall not be bound by the provisions of Annex II of the Convention for a period of three years from the date of entry into force of the present Protocol or for such longer period as may, be decided by a two-thirds majority of the Parties to the present Protocol in the Marine Environment Protection Committee (hereinafter referred to as "the Organisation").

2. During the period specified in paragraph 1 of this Article, the Parties to the present Protocol shall not be under any obligations nor entitled to claim any privileges under the Convention in respect of matters relating to Annex 11 of the Convention and all reference to Parties in the Convention shall not include the Parties to the present Protocol in so far as matters relating to that Annex are concerned.

ARTICLE III

Communication of Information

The text of Article II (1) *(b)* of the Convention is replaced by the following-

"a list of nominated surveyors or recognised organisation which are authorised to act on their behalf in the administration of matters relating to the design, construction, equipment and operation of ships carrying harmful substances in accordance with the provisions of the Regulations for circulation to the Parties for information of their officers. The Administration shall therefore notify the Organisation of the specific responsibilities and conditions of the authority delegated to nominate surveyors or recognised Organisations".

ARTICLE IV

Signature, Ratification, Acceptance, Approval and Accession

1. The present Protocol shall be open for signature at the Headquarters of the Organisation from 1 June 1978 to 31 May 1979 and shall thereafter remain open for accession. States may become Parties to the present Protocol by-

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature, subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organisation.

ARTICLE V

Entry into Force

1. The present Protocol shall enter into force twelve months after the date on which not less than fifteen states, the combined fleets of which constitute not less than fifty percent of the world's merchant shipping, have become parties to it in accordance with Article IV of the present protocol.

2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present protocol enters into force shall take effect three months after the date of deposit.

3. After the date on which an amendment to the present Protocol is deemed to have been accepted in accordance with Article 16 of the Convention, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI

Amendments

The procedures set out in Article 16 of the Convention in respect of amendment to the Articles, an Annex and an Appendix to an Annex of the Convention shall apply respectively to amendments to the Articles, the Annex and an Appendix to the Annex ofthe present Protocol.

ARTICLE VII

Denunciation

1. The present Protocol may be denounced by any Party to the present Protocol at any time after the expiry of five years from the date on which the Protocol enters into force for that Party.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organisation.

3. A denunciation shall take effect twelve months after receipt of the notification by the Secretary-General of the Organisation or after the expiry of any other longer period which may be indicated in the notification.

ARTICLE VIII

Depositary

1. The present Protocol shall be deposited with the Secretary-General of the Organisation (hereinafter referred to as "the Depositary").
2. The Depositary shall-

(a) inform all States which have signed the present Protocol or acceded thereto of-
(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
(ii) the date of entry into force of the present protocol;
(iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;
(iv) any decision made in accordance with Article 11 (1) of the present Protocol;

(b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.

3. As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE IX

Languages

The present Protocol is established in a single original in the English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German, Italian and Japanese languages shall be prepared and deposited with the single original.

PROTOCOL I

PROVISIONS CONCERNING REPORTS ON INCIDENTS INVOLVING HARMFUL SUBSTANCES (IN ACCORDANCE WITH ARTICLE 8 OF LIFE CONVENTION)

ARTICLE I

Duty to Report

(1) The Master or other person having charge of any ship involved in an incident referred to in Article II of this Protocol shall report the particulars of such incident without delay and to the fullest extent possible in accordance with the provisions of this Protocol.

(2) In the event of the ship referred to in paragraph (1) of this Article being abandoned, or in the event of a report from such a ship being incomplete or unobtainable, the owner, char-

terer, manager or operator of the ship, or their agents shall, to the fullest extent possible, assume the obligations placed upon the Master under the provisions of this Protocol.

ARTICLE II

When to make Reports

(1) The report shall be made when an incident involves-

(a) a discharge above the permitted level or probable discharge of oil or of noxious liquid substances for whatever reason including those for the purpose of securing the safety or the ship or for saving life at sea; or

(b) a discharge or probable discharge of harmful substances in packaged form, including those in freight containers, portable tanks, road and rail vehicles and ship borne barges; or

(c) damage, failure or breakdown of a ship of 15 metres in length or above which-

(i) affects the safety of the ship; including but not limited to collision grounding, fire, explosion, structural failure, flooding, and cargo shifting; or

(ii) results to impairment of the safety of navigation; including but not limited to, failure or breakdown of steering gear, propulsion plant, electrical generating system, and essential ship borne navigational aids; or

(d) a discharge during the operation of the ship of oil or noxious liquid substances in excess of the quantity or instantaneous rate, permitted under the present Convention.

(2) For the purpose of this Protocol-

(a) **"Oil"** referred to in subparagraph (1) *(a)* of this Article means oil as defined in Regulation 1 (1) of Annex 1 of the Convention;

(b) **"Noxious liquid substances"** referred to in subparagraph (1) (a)ofthis Article means noxious liquid substances, as defined in Regulation 1 (6) of Annex II of the Convention;

(c) **"Harmful substances"** in packaged form referred to in subparagraph (1) *(b)* of this Article means substances which are identified as marine pollutants in the International Dangerous Goods (IMDG) Code.

ARTICLE III

Contents of Report

Reports shall in any case include---

(a) identity of ships involved;

(b) time, type and location of incident;

(c) quantity and type of harmful substance involved;

(d) assistance and salvage measure.

ARTICLE IV

Supplementary Report

Any person who is obliged under the provisions of this Protocol to send a report shall, when possible-

(a) supplement the initial report, as necessary, and provide information concerning further developments; and

(b) comply as fully as possible with requests from affected States for additional information.

ARTICLE V

Reporting Procedures

(1) Reports shall be made by the fastest telecommunications channels available with the highest possible priority to the nearest coastal State.

(2) In order to implement the provisions of this Protocol, Parties to the present Convention shall issue, or cause to be issued, regulations or instructions on the procedures to be followed in reporting incidents involving harmful substances based on guidelines developed by the Organisation.

PROTOCOL II

ARBITRATION

(IN ACCORDANCE WITH ARTICLE 10 OF THE CONVENTION)

ARTICLE I

Arbitration procedure, unless the Parties to the dispute decide otherwise, shall be in accordance with the rules set out in this Protocol.

ARTICLE II

(1) An Arbitration Tribunal shall be established upon the request of one Party to the Convention addressed to another in application of article 10 of the present Convention. The request for arbitration shall consist of a statement of the case together with any supporting documents.

(2) The requesting Party shall inform the Secretary-General of the Organisation of the fact that it has applied for the establishment of a Tribunal, of the names of the Parties to the dispute and of the articles of the Convention or Regulations over which there is in it opinion disagreement concerning their interpretation or application. The Secretary-General shall transmit this information to all Parties.

ARTICLE III

The Tribunal shall consist of three members: one Arbitrator nominated by each Party to the dispute and a third Arbitrator who shall be nominated by agreement between the two first named, and shall act as its Chairman.

ARTICLE IV

(1) If, at the end of a period 60 days from the nomination of the second Arbitrator, the Chairman ofthe Tribunal shall not have been nominated, the Secretary-General of the Organisation upon request of either Party shall within a further period of 60 days, proceed to such nomination, selecting him from a list of qualified persons previously drawn up by the Council of the Organisation.

(2) If within a period of 60 days from the date of the receipt of the request, one of the Parties shall not have nominated the member of the Tribunal for whose designation it is responsible, the other Party may directly inform the Secretary-General of the Organisation who shall nominate the Chairman of the Tribunal within a period of 60 days, selecting him from the list prescribed in paragraph (1) of the present article.

(3) The Chairman of the Tribunal shall, upon nomination request the Party which has not provided an Arbitrator, to do so in the same manner and under the same conditions. If the Party does not make the required nomination, the Chairman of the Tribunal shall request the Secretary General of the Organisation to make the nomination in the form and conditions prescribed in the preceding paragraph.

(4) The Chairman of the Tribunal, if nominated under the provisions of the present article, shall not be or have been a national of one of the Parties concerned, except with the consent of the other Party.

(5) In the case of the decease or default of an Arbitrator for whose nomination one of the Parties is responsible, the said Party shall nominate a replacement within a period of 60 days from the date of decease or default, [...]. In case of the decease or default of the Chairman of the Tribunal, a replacement shall be nominated in accordance with the provisions of article III above, or in the absence of agreement between the members of the Tribunal within a period of 60 days of the decease or default, according to the provisions of the present article.

[EDITORIAL NOTE: The full text of this section was unavailable at the time of print. It will be included in future updates to the work.]

ARTICLE V

The Tribunal may hear and determine counter claims arising directly out of the subject-matter of the dispute.

ARTICLE VI

Each Party shall be responsible for the remuneration of its Arbitrator and connected costs and for the costs entailed by the preparation of its own case. The remuneration of the Chairman of the Tribunal and of all general expenses incurred by the Arbitration shall be borne equally by the Parties. The Tribunal shall keep a record of all its expenses and shall furnish a final statement thereof.

ARTICLE VII

Any Party to the Convention which has an interest of a legal nature and which may be affected by the decision in the case may, after giving written notice to the Parties which have originally initiated the procedure, join in the arbitration procedure with the consent of the Tribunal.

ARTICLE VIII

Any Arbitration Tribunal established under the provisions ofthe present Protocol shall decide its own rules of procedure.

ARTICLE IX

(1) Decisions of the Tribunal both as to its procedure and its place of meeting and as to any question laid before it, shall be taken by majority votes of its members; the absence or abstention of one of the members of the Tribunal for whose nomination the Parties were responsible, shall not constitute an impediment to the tribunal reaching a decision. In cases of equal voting, the vote of the Chairman shall be decisive.

(2) The Parties shall facilitate the work of the Tribunal and in particular, in accordance with their legislation and using all means at their disposal-

(a) provide the Tribunal with the necessary documents and information;

(b) enable the Tribunal to enter their territory, to hear witnesses or experts, and to visit the scene.

(3) Absence or default of one Party shall not constitute an impediment to the procedure.

ARTICLE X

(1) The Tribunal shall render its award within a period of five months from the time it is established unless it decides in the case of necessity, to extend the time limit for a further period not exceeding three months. The award of the Tribunal shall be accompanied by a statement of reasons. It shall be final and without appeal and shall be communicated to the Secretary-General of the Organisation. The Parties shall immediately comply with the award.

(2) Any controversy which may arise between the Parties as regards interpretation or execution of the award may be submitted by either Party for judgment to the Tribunal which made the award, or, if it is not available to another Tribunal constituted for this purpose, in the same manner as the original Tribunal.

INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS 1973 AND THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

ANNEX I

REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

CHAPTER II

General

REGULATION 1

Definitions

For the power of this Annex-

(1**) "Oil"** means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products (other than petrochemical which are subject to the provisions of Annex II of the present Convention) and, without limiting the generality of the foregoing, includes the substances listed in Appendix I to this Annex.

(2) **"Oily mixture"** means a mixture with any oil content.

(3) **"Oil fuel"** means any oil used as fuel in connection with the propulsion and auxiliary machinery of the ship in which such oil is carried,

(4) **"Oil tanker"** means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers and any "chemical tanker" as defined in Annex II of the present Convention when it is carrying a cargo or part cargo of oil in bulk.

(5) **"Combination carrier"** means a ship designed to carry either oil or solid cargoes in bulk.

(6) **"New ship"** means a ship

(a) for which the building contract is placed after 31 December 1975; or

(b) in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 30 June 1976; or

(c) the delivery of which is after 31 December 1979; or

(d) which has undergone a major conversion-

(i) for which the contract is placed after 31 December 1975; or

(ii) in the absence of a contract, the Construction work of which is begun after 30th June 1976; or

(iii) which is completed after 31 December 1979.

(7) **"Existing ship"** means a ship which is not a new ship.

(8) (a) **"Major conversion"** means a conversion of an existing shi~

(i) which substantially alters the dimensions or carrying capacity of theship; or

(ii) which changes the type of the ship; or

(iii) the intent of which in the opinion of the Administration is substantially to prolong its life; or

(iv) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship.

(b) Notwithstanding the provisions of subparagraph *(a)* of this paragraph, conversion of an existing oil tanker of 20,000 tons deadweight and above to meet the requirements of regulation 13 of this Annex shall not be deemed to constitute a major conversation for the purpose of this Annex.

(c) Notwithstanding the provisions of subparagraph *(a),* of this paragraph, conversion of an existing oil tanker to meet the requirement of regulation t3F or 130 of this

Annex shall not be deemed to constitute a major conversion for the purpose of this Annex.

(9) **"Nearest land"** - the term **"from the nearest land"** means from the baseline from which the territorial sea of the territory in question is established in accordance with International Law, except that for the purposes of the present Convention "from the nearest land" off the north eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in-

latitude 11 00/ South, longitude 142 08/ East,
to point in latitude 10 35/ South, longitude 141 55' East,
thence to a point latitude 10 00/ South, longitude 142 00/ East,
thence to a point latitude 9 10/ South, longitude 143 52/ East,
thence to a point latitude 9 00' South, longitude 144 30' East,
thence to a point latitude 13 00' South, longitude 144 00' East,
thence to a point latitude 15 00' South, longitude 146 00' East,
thence to a point latitude 18 00' South, longitude 147 00' East,
thence to a point latitude 21 00' South, longitude 153 00' East,
thence to a point on the Coast of Australia;
in latitude 24 42' South, longitude 153 15' East.

(10) **"Special area"** means a sea area where for recognised technical reasons in relation to its oceanographical and ecological condition to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by oil is required. Special areas shall include those listed in regulation 10 of this Annex.

(11) **"Instantaneous rate of discharge of oil content"** means the rate of discharge of oil in litre per hour at any instant divided by the speed of the ship in knots at the same instant.

(12) **"Tank"** means an enclosed space which is formed by the permanent structure of a ship and which is designed for the carriage of liquid in bulk.

(13) **"Wing tank"** means any tank adjacent to the side shell plating.

(14) **"Centre tank"** means any tank inboard of a longitudinal bulkhead.

(15) **"Slop tank"** means a tank specifically designated for the collection of tank draining, tank washing and other oily mixtures.

(16) **"Clean ballast"** means the ballast in a tank which since oil was last carried therein, has been so cleaned that effluent there from if it were discharged from a ship which is stationary into clean calm water on a clear day would not produce visible traces of oil on the surface of the water or upon adjoining shorelines or cause a sludge of emulsion to be deposited beneath the surface of the water or upon adjoining shorelines. If the ballast is discharged through an oil discharge monitoring and control system approved by the Administration, evidence based on such a system to the effect that the oil content of the effluent did not exceed 15 parts per million shall be determinative that the ballast was clean, notwithstanding the presence of visible traces.

(17) **"Segregated ballast"** means the ballast water introduced into a tank which is completely separated from the cargo oil and fuel system and which is permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious substances as variously defined in the Annexes of the present Convention.

(18) **"Length"** (L) means 96 percent of the total length on a waterline at 85 percent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. The length (L) shall be measured in meters.

(19) **"Forward and after perpendiculars"** shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the foreside of the stem on the waterline on which the length is measured.

(20) **"Amidships"** is at the middle of the length (L).

(21) **"Breadth"** (B) means the maximum breadth of the ship, measured, amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material. The breadth *(b)* shall be measured in meter.

(22) **"Deadweight"** (DW) means the difference in metric tons between the displacement of a ship in water of a specific gravity of 1.025 at the load waterline corresponding to assigned summer freeboard and the lightweight of the ship.

(23) **"Lightweight"** means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects.

(24) **"Permeability"** of a space means the ratio of the volume within that space which is assumed to be occupied by water to the total volume of that space.

(25) **"Volumes"** and **"areas"** in a ship shall be calculated in all cases to moulded lines.

(26) Notwithstanding the provisions of paragraph (6) of this regulation, for purpose of Regulations 13,138, 13E, and 18 (4) of this Annex, "new oil tanker" means an oil tanker-

(a) for which the building contract is placed after 1st June 1979; or

(b) in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction after 1 January 1980; or

(c) the delivery of which is after 1st June 1982; or

(d) which has undergone a major conversion-

(i) for which the contract is placed after 1st June 1979; or

(ii) in the absence of contract, the construction work of which is begun after 1 January 1980; or

(iii) which is completed after 1 June 1982,

except that, for oil tankers of 70,000 tons deadweight and above, the definition in paragraph (6) of this regulation shall apply for the purposed of regulation 13(1) of this Annex.

(27) Notwithstanding the provisions of paragraph (7) of this regulation, from the purposes of regulations 13, 13A, 138, 13C, 13D, 18 (5) and 18 (5) C of this Annex, "existing oil tanker" means an oil tanker which is not a new oil tanker as defined in paragraph (26) of this regulation.

(28) **"Crude"** means any liquid hydrocarbon mixture occurring naturally in the earth whether or not treated to render it suitable for transportation and includes-

(a) crude oil from which certain distillate fractions may have been removed; and

(b) crude oil to which certain distillate fractions may have been added.

(29) **"Crude oil tanker"** means an oil tanker engaged in the trade of carrying crude oil.
(30) **"Product carrier"** means an oil tanker engaged in the trade of carrying oil other than crude oil.

(4) **"Anniversary date"** means the day and month of each year which will correspond to the date of expiry of the International Oil Pollution Prevention Certificate.

REGULATION 2

Application

(1) Unless expressly provided otherwise, the provision of the Annex shall apply to all ships.

(2) In ships other than oil tankers fitted with cargo spaces which are constructed and utilised to carry oil in bulk of an aggregated capacity of 200 cubic metres or more, the requirement of regulations 9, 10, 14, (1), (2) and (3), 18, 20, and 24 (4) of this Annex for oil tankers shall also apply to the construction and operation of those spaces, except that where such aggregate capacity is less than 1,000 cubic metres the requirement of regulation 15 (4) of this Annex may apply in lieu of regulations 1,2 and 3.

(3) Where a cargo subject to the provisions of Annex I of the previous Convention is carried in a cargo space of an oil tanker, the appropriate requirements of Annex 11 of the present Convention shall also apply.

(4) (a) Any hydrofoil, air cushion vehicle and other new type of vessel (near surface craft, submarine craft, etc.) whose constructional features are such as to render the application of any of the provisions of Chapters n and m of this Annex relating to construction and equipment unreasonable or impracticable may be exempted by the Administration from such provisions, provided that the construction and equipment of that ship provides equivalent protection against pollution by oil, having regard to the service for which it is intended.

(b) Particulars of any such exemption granted by the Administration shall be indicated in the Certificate referred to in regulation 5 of this Annex.

(c) The Administration which allows any such exemption shall, as soon as possible, but not more than ninety days thereafter, communicate to the Organisation particulars of same and the reasons, therefore, which the Organisation shall circulate to the parties to the Convention for their information and appropriate action, if any.

REGULATION 3

Equivalents

(1) The Administration may allow any fitting, material, appliance or apparatus to be to fitting in a ship as an alternative to that required by this Annex, if such fitting, material, appliance or apparatus is at least as effective as that required by this Annex. This authority of the Administration shall not extend to substitution of operational methods to effect the control of discharge of oil as equivalent to those design and construction features which are prescribed by Regulations in this Annex.

(4) The Administration which allows a fitting, material, appliance or apparatus, as an alternative to that required by this Annex shall indicate to the Organisation for circulation to the

parties to the Convention particulars thereof: for their information and appropriate action, if any.

REGULATION 4

Surveys

(1) Every oil tanker of 150 gross tonnage and above, and every other ship of 400 gross tonnage and above shall be subject to the surveys to specified below-

(a) an initial survey before the ship is put in service or before the Certificate required under regulation of this Annex is issued for the first time, which shall include a complete survey of its structure, equipment, systems, fittings, arrangement and material in so far as the ship is covered by this Annex. This survey shall be such as to ensure that the structure, equipment, systems, fitting, arrangement and material fully comply with the applicable requirement of this Annex;

(b) a renewal survey at intervals specified by the Administration, but not exceeding 5 years, except where regulation 8 (2), 8 (5), 8 (6) or 8 (7) of this Annex is applicable. The renewal survey shall be such as to ensure that the structure, equipment, system, fittings, arrangement and material fully comply with applicable requirement of this Annex;

(c) an intermediate survey within 3 months before or after the second anniversa date or within 3 months before or after the third anniversary date of the Certif cate which shall take the place of one of the annual surveys specified in para graph (1) (d) of this regulation. The intermediate survey shall be such as to ensure that the equipment and associated pump and piping systems, including oil discharge monitoring and control system, crude oil washing systems, oil-water separating equipment and oil filtering systems, fully comply with the applicable requirements of this Annex and are in good working order. Each intermediate surveys shall be endorsed in the certificate issued under regulation 5 or 6 of this Annex;

(d) an annual survey within 3 months before or after each anniversary date of the certificate, including a general inspection of the structure, equipment, system, fittings, arrangements and material referred to in paragraph (1) *(a)* of this regulation to ensure that they have been maintained in accordance with paragraph (4) of this regulation and that they remain satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the certificate issued under regulation 5 or 6 of this Annex;

(e) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in paragraph (4) of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirement of this Annex.

(2) The administration shall establish appropriate measures for ships which are not subject to the provisions of paragraph (1) of this regulation in order to ensure that the applicable provisions of this Annex are complied with.

(3) (a) Surveys of ships as regards the enforcement of the provisions of this Annex shall be carried out by officers of the Administration. The Administration may however, entrust the surveys either to surveyors nominated for the purpose or to organisation recognised by it.

(b) An Administration nominating surveyors or recognising organisations to conduct surveys as set forth in subparagraph *(a)* of this paragraph shall, as a minimum, empower any nominated surveyor or recognised organisation to=-
(i) require repairs to a ship; and

(ii) carry out surveys if requested by the appropriate authorities of a port State, the Administration shall notify the Organisation on of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognised organisations for circulation to parties to the present protocol for the information of their officers.

© When a nominated surveyor or recognised organisation determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such surveyor or organisation shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the certificate should be withdrawn and the Administration shall be notified immediately; and if the ship is in a port of another Party the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognised organisation has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organisation any necessary assistance to carry out their obligations under this regulations. When applicable, the Government of the port State concerned shall take such steps as will ensure that the ship shall not sail until it can proceed to sea or leave the port for
the purpose of proceeding to the nearest appropriate repair yard available without presenting an unreasonable threat of harm to the marine.

(d) After the survey of the ship under paragraph (1) of this regulation has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fitting.

(4) Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency of the completeness of its equipment covered by this Annex the master or owner of the ship shall report at the earliest opportunity to the Administration, the recognised organisation or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph (1) of this regulation is necessary. If the ship is in port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port state and the nominated surveyor or recognised organisation shall ascertain that such report has been made.

REGULATION 5

Issue or Endorsement of Certificate

(1) An International Oil Pollution Prevention Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 4 of this Annex, to any oil tanker of 150 gross tonnage and above, and any other ships of 400 gross tonnage and above which are engaged in voyages to ports or offshore terminals under the jurisdiction of other parties to the Convention.

(2) Such Certificate shall be issued or endorsed either by the Administration or by any persons or organisations duly authorised by it. In every case the Administration assumes full responsibility for the certificate.

(3) Notwithstanding any other provisions of the amendments to this Annex adopted by the Marine Environment Protection Committee (MEPC) by resolution MEPC.39 (29), any International Oil Pollution Prevention Certificate, which is current when these amendments enter into force, shall remain valid until it expires under the terms of this Annex prior to the amendments entering into force.

REGULATION 6

Issue or Endorsement of a Certificate by another Government

(1) The Government of a Party to the Convention may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the provisions of this Annex are complied with, shall issue or authorise the issue of International Oil Pollution Prevention Certificate to the ship and where appropriate, endorse or authorise the endorsement of that Certificate on the ship, in accordance with this Annex.

(2) A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

(3) A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same forte and receive the same recognition as the Certificate issued under regulation 5 of this Annex.

(4) No International Oil Pollution Prevention Certificate shall be issued to a ship which is entitled to fly tbe flag of a State which is not a Party.

REGULATION 7

Form of Certificate

The International Oil Pollution Prevention Certificate shall be drawn up in a form corresponding to the model given in appendix II to this Annex. If the language used is neither English or French, the text shall include a translation into one of these language.

REGULATION 8

Duration and Validity of Certificate

(1) An International oil pollution prevention certificate shall be issued or a period specified by the Administration which shall not exceed 5 years.

(2) (a) Notwithstanding the requirements of paragraph (1) of this regulation, when the renewal survey is completed within three months before the expiry date of the existing certificate the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry ofthe existing certificate.

(b) When the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing certificate.

(c) When the renewal is completed more than 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date Not exceeding 5 years form the date of completion of renewal survey.

(3) If a Certificate is issued for a period of less than 5 years, the Administration may extend the validity of the certificate beyond the expiry date to the minimum period specified in paragraph (1) of this regulation provided that the surveys referred to in regulation 4 (1) *(c)* and 4 (1) (d) of[...] certificate is issued for a period of 5 years are carried out as appropriate.

[EDITORIAL NOTE: The full text of this section was not available at the time of print. It will be included in future updates to the work.]

(4) If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organisation authorised by the Administration may endorse the existing certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.

(5) If a ship at the time when a Certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in case where it appears proper and reasonable to do so. No certificate shall be extend for a period longer than 3 months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to surveyed, be entitled by virtue of such extension to leave that port without having a new Certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

(6) A certificate issue to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it when the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

(7) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraph (2) *(b),*

(5) or (6) of this regulation. In these special circumstances, the new certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.

(8) If an annual or intermediate survey is completed before the period specified in regulation 4 of this Annex, then-

(a) the anniversary date shown on the certificate shall be amended by endorsement to a date which shall be more than 3 months later than the date on which the survey was completed;

(b) the subsequent annual or intermediate survey required by regulation 4 of the Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date;

(c) the expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 4 of this Annex are not exceeded.

(9) A certificate issued under regulation 5 or 6 of this Annex shall cease to be valid in any of the following cases-

(a) if the relevant surveys are not complied within the periods specified under regulations 4 (1) of this Annex;

(b) If the certificate is not endorsed in accordance with regulation 4 (1) *(c)* or 4 (1) *(d)* of this Annex;

(c) upon transfer of the ship to the flag of another state a new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 4 (4) *(a)* and 4 (4) *(b)* of this Annex. In the case ofa transfer between parties, if requested within 3 months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

REGULATION 8A

Port State Control on Operational Requirements

(1) A ship when in a port or an offshore terminal of another Party is subject to inspection by officers duly authorised by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master of crew are not familiar with essential shipboard procedures relating to the prevention of pollution by oil.

(2) In the circumstances given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this Annex.

(3) Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to this regulation.

(4) Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirement specifically provided for in the present Convention.

CHAPTER II

REQUIREMENTS FOR CONTROL OF OPERATIONAL POLLUTION

REGULATION 9

Control of Discharge of Oil

(1) Subject to the provision of regulations 10 and 11 of this Annex and paragraph (2) of this regulation, any discharge into the sea of oil or oily mixtures from ships to which this Annex applies shall be prohibited except when all the following conditions are satisfied-

(a) for an oil tanker, except as provided for in subparagraph *(b)* of this paragraph-

(i) the tanker is not within a special area;

(ii) the tanker is more than 50 nautical miles form the nearest land;

(iii) the tanker is proceeding en route;

(iv) the instantaneous rate of discharge of oil content does not exceed 30 litres per nautical mile;

(v) the total quantity of oil discharged into the sea does not exceed for existing tankers 1/15,000 of the total quantity of the particular cargo of which the residue formed a part, and for a new tankers 1/130,000 of the total quantity of the particular cargo of which the residue formed a part; and

(vi) the tanker has in operation an oil discharge monitoring control system and a slop tank arrangement as required by regulation 15 of this Annex;

(b) from a ship of 400 tons gross tonnage and above other than and oil tanker and from machinery space bilges excluding cargo pump room bilges of an oil tanker unless mixed with oil cargo residue-

(i) the ship is not within a special area;

(ii) the ship is proceeding en route;

(iii) the oil content of the effluent without dilution does not exceed 15 parts per million; and

(iv) the ship has in operation equipment required by regulation 16 of this Annex.

(2) In the case of a ship of less than 400 tons gross tonnages other an oil tanker whilst outside the special area, the Administrations shall ensure that it is equipped as far as practicable and reasonable with installations to ensure the storage of oil residues with the requirements of paragraph (1) *(b)* of this regulation.

(3) Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, Government of Parties to the Convention should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this regulation or regulation 10 of this Annex. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.

(4) The provisions of paragraph (1) of this regulation shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixture which without dilution have an oil

content not exceeding 15 parts per million and which do not originate from cargo pump-room bilges and are not mixed with oil cargo residues.

(5) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this regulation.

(6) The oil residues which cannot be discharged into the sea in compliance with paragraphs (1), (2) and (4) of this regulation shall be retained on board or discharged to reception facilities.

(7) In the case of a ship, referred to in regulation 16 (6) of this Annex, not fitted with equipment as required by regulation 16 (1) of 16 (2) of this Annex, the provisions of paragraph (1) *(b)* of this regulation will not apply until 6 July 1998 or the date on which the ship is fitted with such equipment, whichever is the earlier. Until this dates any discharge from such machinery space bilges into the sea of oil or oily mixtures from such a ship shall be prohibited except when all the following conditions are satisfied-

(a) the oily mixture does not originate from the cargo pump-room bilges;

(b) the oily mixture is not mixed with oil cargo residues;

(c) the ship is not within a special area;

(d) the ship is more than 12 nautical miles from the nearest land;

(e) the ship is proceeding en route;

(f) the oil content of the effluent is less than 100 pans per million; and

(g) the ship has in operation oil-water separating equipment of a design approved by the Administration, taking into account the specification recommended by the Organisation.

REGULATION 10

Methods for the Prevention of Oil Pollution from Ship while operating in Special Areas

(1) For the purpose of this Annex, the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area, the "Gulfs area" the Gulf of Aden area, the Antarctic area and the North West European waters, which are defined as follows-

(a) the Mediterranean Sea area means the Mediterranean Sea proper including the gulfs and seas therein with the boundary between the Mediterranean and the Black Sea constituted by the 41 ° N parallel and bounded to the west by the Straits of Gibraltar at the meridian of 5° 36' W;

(b) the Baltic Sea area means the Baltic Sea proper with Gulf of Bothnia the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57° 44.8' N;

(c) the Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 141 ° N;

(d) the Red Sea area means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12° 28.5', 43° 19.6' E) and Husn Murad (12° 40' N, 43° 30.2' E);

(e) the Gulfs area means the sea area located North West of the rhumb line between Ras AI Band (22° 30' N, 59° 48' E) and Ras AI Fasteh (25° 04' N, 61 ° 25' E);

(f) the Gulfof Aden area means that part of the Gulfof Aden between the Red Sea and the Arabian Sea bounded to the west by the rhumb line between Ras si Ane (12° 28' S'N, 43° 19.6' E) and Husn Murad (12° 40.4' N, 43° 30.2' E) and to, the east by the rhumb line between Ras Asir (11 ° 50' N, 51 ° 16.9' E) and Ras Fartak (15° 35' N 52° 13.8' E);

(g) the Antarctic area means the sea area south of 60° South latitude;

(h) the North West European waters include the North Sea and its approaches, the Irish Sea and its approaches, the Celtic Sea, the English Channel and its approaches and part of the North East Atlantic immediately to the west ofIreland. The sea is bounded by lines joining the following points-

(i) 48° 27' N on the French coast;

(ii) 48° 27' N; 60 2S'W;

(iii) 49° 52' N; 70 44'W;

(iv) 50° 30' N; 12° W;

(v) 56° 30' N; 12° W;

(vi) 62° N; 3° W;

(vii) 62° N on the Norwegian coast;

(viii) 57° 44.8' N on the Danish and Swedish coasts.

(2) Subject to the provisions or regulation 11 of this Annex-

(a) any discharge into the sea of oil or oily mixture from any oil tanker and any ship of 400 tons gross tonnage and above other than a oil tanker shall be prohibited while in a special area. In respect of the Antarctic area, any discharge into the sea of oil or oily mixture from any ship shall be prohibited;

(b) except as provided for in respect of the Antarctic area, under subparagraph *2 (a)* of this regulation, any discharge into the sea of oil or oily mixture from a ship of less than 400 tons gross tonnage and above other than an oil tanker, shall be prohibited while in a special area, except when the oil content the effluent without dilution does not exceed 15 parts per million.

(3) (a) The provisions of paragraph (2) of this regulation shall not apply to the discharge of clean or segregated ballast.

(b) The provisions of subparagraph (2) *(b)* of this regulation shall not apply to the discharge of processed bilge water from machinery spaces, provided that all of the following conditions are satisfied-

(i) the bilge water does not originate from cargo pump room bilges;

(ii) the bilge water is not mixed with oil cargo residues;

(iii) the ship is proceeding en route;

(iv) the oil content of the effluent without dilution does not exceed 15 parts per million;

(v) the ship has in operation oil filtering equipment complying with regulation 16 (5) of this Annex; and

(vi) the filtering system is equipped with a sopping device which will ensure that the discharge is automatically stopped when the oil content of the effluent exceeds 15 parts per million.

(4) (a) No discharges into the sea shall contain chemicals or other substances introduced for the purpose of circumventing the condition shall be retained on board or discharge to reception facilities.

(b) The oil residues which cannot be discharged into the sea in compliance with paragraph (2) or (3) of this regulation shall be retained on board or discharged to reception facilities.

(5) Nothing in this regulation shall prohibit a ship on a voyage only part of which is in a special area from discharging outside the special area in accordance with Regulation 9 of this Annex.

(6) Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake the Governments of Parties to the Convention should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this regulation or regulation 9 of this Annex. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.

(7) Reception facilities within special areas-

(a) Mediterranean Sea, Black Sea and Baltic Sea area-

(i) the Government of each Party to the Convention, the coastline of which borders on any given special area undertakes to ensure that not later than 1st January 1977 all oil loading terminals and repair port within the special area are provided with facilities adequate for the reception and treatment of all the dirty ballast and tank washing water from oil tankers. In addition all ports within the special area shall be provided with adequate reception facilities for other residues and oil mixtures from all ships. Such facilities shall have adequate capacity to meet the needs of the ships using them without causing undue delay;

(ii) the Government of each Party having under its jurisdiction entrances to seawater course with low depth contour which might require a reduction of draught by the discharge of ballast undertakes to ensure the provision of the facilities referred to in subparagraph *(a)* (i) of this paragraph but with the proviso that ships required to discharge slops or dirty ballast could be subject to some delay;

(iii) during the period between the entry into force of the present Convention (if earlier than 1 January, 1977) and 1 January, 1977 ships while navigating in the special areas shall comply with the requirements of Regulation 9 of this Annex. However, the Governments of Parties the coastlines of which border any of the special area under this sub-paragraph may establish a date earlier than 1 January, 1977, but after the date of entry into force of the present

Convention, from which the requirements of this regulation in re- spect of the special areas in question shall-

(1) if all the reception facilities required have been provided by the date so established; and

(2) provided that the Parties concerned notify the Organisation of the date so established at least six months in advance, for circulation to other Parties;

(iv) after January, 1977, or the date established in accordance with subparagraph *(a)* (iii) of this paragraph if earlier, each Party shall notify the Organisation;

(b) Red Sea area, Gulfs area, Gulf of Adeu and North West European waters-

(i) the Government of each Party the coastline of which borders on the special areas undertakes to ensure that as soon as possible all oil loading terminals and repair ports within these special areas are provided with facilities adequate for the reception and treatment of all the dirty ballast and tank washing water from tanker. In addition all ports within the special area shall be provided with adequate reception facilities for other residues and oily mixtures from all ships. Such facilities shall have adequate capacity to meet the needs of the ships using them without causing undue delay;

(ii) the Government of each Party having under its jurisdiction entrances to seawater courses with low depth contour which might require a reduction of draught by the discharge of ballast shall undertake to ensure the provision of the facilities referred to in subparagraph *(b)* (i) of this paragraph but with the proviso that ships required to discharge slops or dirty ballast could be subject to some delay;

(iii) each Party concerned shall notify the Organisation of the measures taken pursuant to provisions of subparagraph *(b)* (i) and (ii) of this paragraph. Upon receipt of sufficient notifications the Organisation shall establish a date from which the requirements of this regulation in respect of the area in question shall take effect. The Organisation, shall notify all Parties of the date so established not less than twelve months in advance of that date;

(iv) during the period between the entry into force of the present Convention and the date so established, ships while navigating in the special area shall comply with the requirements of regulation 9 of this Annex;

(v) after such date oil tankers loading in ports in these special areas where such facilities are not yet available shall also fully comply with the requirements of this regulation. However, oil tankers entering these special areas for the purpose of loading shall make every effort to enter the area with only clean ballast on board;

(vi) after the date on which the requirement for the special area in question take effect each Party shall notify the Organisation for transmission to the Parties concerned of all cases where the facilities are alleged to be inadequate;

(vii) at least the reception facilities as prescribed in Regulation 12 of this Annex shall be provided by 1 January, 1977 or one year after the date of entry into force of the present Convention, whichever occurs later.

(8) Notwithstanding paragraph (7) of this regulation, the following rules apply to the Atlantic area-

(a) the Government of each Party to the Convention at whose ports ships depart en route to or arrive from the Antarctic area undertakes to ensure that as soon as practicable adequate facilities are provided for the reception of all sludge, dirty ballast, tank washing water and other oily residues and mixtures from all ships, without causing undue delay, and according to the needs of the ships using them;

(b) the Government of each Party to the Convention shall ensure that all ships entitled to fly its flag, before entering the Antarctic area, are fitted with a tank or tanks of sufficient capacity on board for the retention of all sludge, dirty ballast, tank washing water and other oily residues and mixtures while operating in the area and have concluded arrangements to discharge such oily residues at a reception facility after leaving the area.

REGULATION 11

Exemptions

Regulations 9 and 10 of this Annex shall not apply to->-

(a) the discharge into the sea of oil or oily mixture necessary for the purpose of securing the safety of ship or saving life at sea; or

(b) the discharge into the sea of oil or oily mixture resulting from damage to a ship or its equipment-

(i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimising the discharge; and

(ii) except if the owner or the Master acted either with intent to cause damage or recklessly and with knowledge that damage would probably result; or

(c) the discharge into the sea of substances containing oil, approved by the Administration, when being used for the purpose of combating specific pollution incidents in order to minimise the damage from pollution. Any such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will occur.

REGULATION 12

Reception Facilities

(1) Subject to the provisions of regulation 10 of this Annex, the Government of each Party undertakes to ensure the provision at oil loading terminals, repairs ports, and in other ports in which ships have oily residues to discharge, of facilities for the reception of such resi-

dues and oily mixtures as remain from oil tankers and other ships adequate to meet the needs ofthose using them without causing undue delay to ships.

(2) Reception facilities in accordance with paragraph (1) of this regulation shall be provided in-

(a) all ports and terminals in which crude oil is loaded into oil tankers where such tankers have immediately prior to arrival completed a ballast voyage of not more than 72 hours or not more than 1,200 nautical miles;

(b) all ports and terminals in which oil other than crude oil in bulk is loaded at an average quantity of more than 1,000 metric tons per day;

(c) all ports having ship repair yards or tank cleaning facilitates;

(d) all ports and terminals which handles ships provided with the sludge tank(s) required by regulation 17 of this Annex;

(e) all ports in respect of oily bilge waters and other residues, which cannot be discharged in accordance with regulation 9 ofthis Annex; and

(f) all loading ports for bulk cargo in respect of oil residues from combination cargos which cannot be discharged in accordance with regulation 9 of this Annex.

(3) The capacity for the reception facilities shall be as follow-

(a) crude oil loading terminals shall have sufficient reception facilities to receive oil and oily mixtures which cannot be discharged in accordance with the provisions or regulation 9 (1) *(a)* of this Annex from all oil tanker on voyage as described in paragraph (2) *(a)* of this regulation;

(b) loading ports and terminals referred to in paragraph (2) *(b)* of this regulation shall have sufficient reception facilities to receive oil and oily mixtures cannot be discharged in accordance with the provisions of regulation 9 (1) *(a)* of this Annex from oil tanker which load oil other than crude oil in bulk;

(c) all ports having ship repairs yards or tank cleaning facilities shall have sufficient reception facilities to receive all residues and oily mixtures which remains on board for disposal from ships prior to entertaining such yards or facilities;

(d) all facilities provided in ports and terminals under paragraph (2) *(d)* of this regulation shall be sufficient to receive all residues retained according to regulation 17 of this Annex from all ships that may reasonably be expected to call at such ports and terminals;

(e) all facilities provided in ports and terminals under this regulation shall be sufficient to receive oily bilge waters and other residues which cannot be discharged in accordance with regulation 9 of this Annex;

(f) the facilities provided in loading ports for bulk cargoes shall take into account the special problems of combination carriers as appropriate.

(4) The reception facilities prescribed in paragraphs (2) and (3) of this regulation shall be made available no later than one year from the date of entry into force of the present Convention or by 12 January 1977, whichever occurs later.

(5) Each Party shall notify the Organisation for transmissions to the Parties concerned of all cases where the facilities provide under this regulation are alleged to be inadequate.

REGULA TION 13

Segregated Ballast Tank, Dedicated Clean Ballast Tanks and Crude Oil Washing

Subject to the provisions of regulations BC and l3D of this Annex, oil tankers shall comply with the requirement of this regulation.

New oil tankers of 20,000 tons deadweight and above-

(1) Every new oil tanker of 20,000 tons deadweight and above and every new product carrier or 30,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with paragraphs (2), (3) and (4), or paragraph (5) as appropriate, of this regulation.

(2) The capacity of the segregated ballast tanks shall be so determined that the ship may operate safely on ballast voyages without recourse to the use of cargo tanks for water ballast except as provided for in paragraph (3) or (4) of this regulation. In all cases, however the capacity of segregated ballast tanks shall be at least such that, in any ballast condition at any part of the voyage, including the conditions consisting of lightweight plus segregated ballast only, the ship's draughts and trim can meet each of the following requirements-

(a) the moulded draught amidships (dm) in meters (without taking into account any ship's deformation) shall not be less than: dm=2.0 + 0.02L;

(b) the draughts at the forward and after perpendicular shall correspond to those determined by the drought amidships (dm) as specified in subparagraph *(a)* of this paragraph, in association with the trim by the stern of not greater than 0.015L; and

(c) in any case the draught at the after perpendicular shall not be less than that which is necessary to obtain full immersion of the propeller(s).

(3) In no case shall ballast water be carried in cargo tanks, except-

(a) on those rare voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship;

(b) in exceptional cases where the particular character of the operation of an oil tanker renders it necessary to carry ballast water in excess of the quantity required under paragraph (2) of this regulation, provided that such operation of the oil tanker falls under the category of exceptional cases as established by the Organisation,

Such additional ballast water shall be processed and discharged in compliance with regulation 9 of this Annex and an entry shall be made in the Oil Record Book referred to in regulation 20 of this Annex.

(4) In the case of new crude oil tankers, the additional ballast permitted in paragraph (3) of this regulation shall be carried in cargo tanks only if such tanks have been crude oil washed in accordance with regulation 13B of this Annex before departure from an oil unloading port or terminal.

(5) Notwithstanding the provisions of paragraph (2) of this regulation, the segregated ballast conditions oil tankers less than 150 meters in length shall be to the satisfaction of the Administration.

(6) Every new crude oil tanker of 20,000 tons deadweight and above shall be fitted with cargo tank cleaning system using crude oil washing. The Administration shall undertake to ensure that the system fully complies with the requirements of regulation 13B of this Annex within one year after the tanker was first engaged in the trade of carrying crude oil or by the end of the third voyage carrying crude oil suitable for crude oil washing, whichever occurs later. Unless such oil tanker carries crude oil, which is not suitable for crude oil washing, the oil tanker shall operate the system in accordance with the requirement of that Regulation.
Existing crude oil tankers of 40,000 tons deadweight and above-

(7) Subject to the provisions of paragraphs (8) and (9) of this regulation every existing crude oil tanker of 40,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with the requirements of paragraphs (2) and (3) of this regulation from the date of entry into force of the present Convention.

(8) Existing crude oil tankers referred to in paragraph (7) of this regulation may, in lieu of being provided with segregated ballast tanks, operate with a cargo tank cleaning procedure using crude oil washing in accordance with regulation 138 of this Annex unless the crude oil tanker is intended to carry crude oil which is not suitable for crude oil washing.

(9) Existing crude oil unless referred to in paragraph (7) or (8) of this regulation may, in lieu of being provided with segregated ballast tanks or operating with a cargo tank cleaning procedure using crude oil washing, operate with dedicated clean ballast tanks in accordance with the provisions or regulation 13A of this Annex for the following period-

(a) for crude oil tankers of 70,000 tons deadweight and above, until two yean after

(b) for crude oil tankers of 40,000 tons deadweight and above but below 70,000 tons deadweight, until four years after the date of entry into force of the present Convention.

Existing product carriers of 40,000 tons deadweight and above-

(10) From the date of entry into force of the present Convention, every existing product carriers of 40,000 tons deadweight and above shall be provided with segregated ballets tanks and shall comply with the requirements of paragraphs (2) and (3) of this regulation, or alternatively, operate with dedicated clean ballast tanks in accordance with the provisions of regulation 13A of this Annex.
An oil tanker qualified as a segregated ballast oil tanker-

(11) Any oil tanker which is not required to be provided with segregated ballast tanks in accordance with paragraph (1), (7) or (10) of this regulation may, however, be qualified as a segregated ballast tanker, provided that it complies with the requirements of paragraphs (2), (3), or paragraph (5) as appropriate, of this regulation.

REGULATION 13A

Requirements for Oil Tankers with Dedicated Clean Ballast

(1) An oil tanker operating with dedicated clean ballast tanks in accordance with the provisions of regulation 13 (9) or (10) of this Annex, shall have adequate tank capacity, dedicated solely to the carriage of clean ballast as defined in regulation 1 (16) of this Annex, to meet the requirements of regulation 13 (2) and (3) of this Annex.

(2) The arrangements and operational procedures of dedicated clean ballast tanks shall comply with requirements established by the Administration. Such requirements shall contain at least all the provisions of the Specifications of Oil Tankers with Dedicated Clean Ballast Tanks adopted by the International Conference on Tanker Safety and Pollution Prevention, 1978, in Resolution 14 as may be revised by the Organisation.

(3) An oil tanker Operating with dedicated clean ballast tank shall be equipped with an oil content meter, approved by the Administration on the basis of specifications recommended by the Organisation to enable supervision of the oil content in ballast water being discharged. The oil content meter shall be installed no later than at the first scheduled shipyard visit of the tanker following the entry into force of the present Convention. Until such time as the oil content meter is installed, it shall immediately before discharge of ballast be established by examination of the ballast water from dedicated tankers that no contamination with oil has taken place.

(4) Every oil tanker operating with dedicated clean ballast tanks shall be provided with a Dedicated Clean Ballast Tank Operation Manual detailing the system and specifying operational procedures. Such a Manual shall be to the satisfaction of the Administration and should contain all the information set out in the specifications referred to in paragraph (2) of this regulation. If alteration affecting the dedicated clean ballast tank system is made, the Operation Manual shall be revised accordingly.

REGULATION 13B

Requirement for Crude Oil Washing

(1) Every erode oil washing system required to be provided in accordance with regulation 13 (6) and (8) of this Annex shall comply with the requirement of this regulation.

(2) The erode oil washing installation and associated equipment and arrangement shall comply with the requirements established by the Administration. Such requirements shall

contain at least all the provisions of the Specifications for the Design, Operation and Control of Crude Oil Washing Systems adopted by the International Conference on Tanker Safety and Pollution Prevention, 1978 in Resolution 15 and as may be revised by the Organisation.

(3) An insert gas system shall be provided in every cargo tank and slop tank in accordance with appropriate regulations of Chapter 11-2 of the International Convention for the Safety of Life of Sea, 1974, as modified also added to by the Protocol of 1978, in relating to the International Convention for the Safety of Life at Sea, 1974 and as may be further amended.

(4) With respect to the ballasting of cargo tanks, sufficient cargo tanks shall be crude oil washed prior to each ballast voyage in order that, taking into account the tanker's trading pattern and expected weather Conditions, ballast water is put only into cargo tanks which have been crude washed.

(5) Every oil tanker operating with crude oil washing systems shall be provided with an Operations and Equipment manual detailing the system and equipment and specifying operational procedures. Such a manual shall be to the satisfaction of the Administration and shall contain all the information set out in the specifications referred to in paragraph (2) of this regulation. If an alteration affecting the crude oil washing system is made, the Operations and equipment Manual shall be revised accordingly.

REGULATION 13C

Existing Tankers engaged in Specific Trades

(1) Subject to the provisions of paragraph (2) of this regulation, regulation 13 (7) to (I 0) of this Annex shall not apply to an existing oil tanker solely engaged in specific trades between-

(a) ports or terminals within a State Party to the present Convention; or

(b) ports or terminals of States Parties to the present Convention, where-

(i) the voyages is entirely within a special area as defined in regulation 10 (1) of this Annex; or

(ii) the voyage is entirely within other limits designated by the Organisation.

(2) The provisions of paragraph (1) of this regulation shall only apply when the ports or terminals where cargo is loaded on such voyages are provided with reception facilities adequate for the reception and treatment of all the ballast and tank washing water from oil tanker using them and all the following conditions are compiled with-

(a) subject to the exceptions provided for in regulation 11 of this Annex, all ballast water, including clean ballast water, and tank washing residues are retained on board and transferred to the reception facilities and the appropriate entry in the Oil Record Book referred to in regulation 20 of this Annex is endorsed by the competent Port State Authority;

(b) agreement has been reached between the Administration and the Government of the port States referred to in subparagraph (1) *(a)* or *(b)* of this regulation concerning the use of an existing oil tanker for specific trade;

(c) the adequacy of the reception facilities in accordance with relevant provisions of this Annex atthe parts or terminal referred to above, for the purpose of this regulation, is approved by the Government of the States Parties to the present Convention which such ports or terminals are situated; and

(d) the International Oil Pollution Prevention Certificate is endorsed to the effect that the oil tanker is solely engaged in such specific trade.

REGULATION 13D

Existing Oil Tankers having special Ballast Arrangements

(1) Where an existing oil tanker is so constructed or operates in such a manner that it complies at all times with the draught and trim requirements set out in regulation 13 (2) of this Annex without resource to the use of ballast Water, it shall be deemed to comply with the segregated ballast tank requirements referred to in regulation 13 (7) of this Annex; provided that all of the following conditions are complied with-

(a) operational procedure and ballast arrangement are approved by the Administration;

(b) agreement is reached between the Administration and the Government of the Port States Parties to the present Convention concerned when the draught and trim requirement are achieve through an operational I procedure and;

(c) the International Oil Pollution Prevention certificate is endorsed to the effect that the oil tanker is operating with special ballast arrangement.

(2) In case shall ballast water be carried in oil tanker except on those rare voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship, such additional ballast water shall be processed and discharged in compliance with Regulation 9 of this Annex and in accordance with the requirements of regulation 15 of this Annex, and entry shall be made in the Oil Record Book referred to in regulation 20 of this Annex.

(3) An Administration which has endorsed a certificate in accordance with subparagraph (1) *(c)* of this regulation shall communicate to the Organisation the particulars thereof for circulation to the Parties to the present Convention.

REGULATION 13E

Protective Location of Segregated Ballast Spaces

(1) In every new crude oil tanker of 20,000 tons deadweight and above, the segregated ballast tanks required to provide the capacity to comply with the requirement of regulation 13 of the Annex which are located within the cargo tank length, shall be arranged in accordance with the requirement of paragraphs (2), (3), and (4) of this regulation to provide a measure of protection against oil outflow in the event of grounding or collision.

(2) Segregated ballast tanks and spaces other than oil tanks within the cargo tank length (Lt) shall be so arranged as to comply with the following requirement-

Where:

Sum(P(Ac) + Sum(P(As) is equal or greater than J((L 1)(B=2D))

P(As) = the Side shell are in square metres for each segregated ballast tank or space other than an oil tank based on projected moulded dimensions,

P(As) = the bottom shell area in square metres for each such tank or space based on projected moulded dimension,

L1 = length in metres between the forward and after extremities of the cargo tanks,

B	=	maximum breadth of the ship in metres as defined in regulation 1 (21) of this Annex,
D	=	moulded depth in metres measured vertically from the top of the keel to the top of the freeboard deck beam at the amidships. In ship having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating the lines extending as though the gunwale were of angular design,
J	=	0.45 for oil tankers of 20,000 tons deadweight; 0.30 for oil tankers of 200,000 tons deadweight and above, subject to the provisions of paragraph (3) of this regulation.

For intermediate values of deadweight the value of "J" shall be determined by linear interpolation.

Whenever symbols given in this paragraph appear in Regulation, they have the meaning as defined in the paragraph (3) for tankers of 200,000 tons deadweight and above the value of "J" may be reduced as follows-

J reduced = (J-{a-(Oc + Os) / (QA)}) or 0.2 whichever is greater

Where:	a	=	0.25 for oil tankers of 200,000 tons deadweight
	A	=	0.4 for oil tankers of300,000 tons deadweight
	A	=	0.50 for oil tankers of 420,000 tons deadweight

For intermediate value of deadweight the value of "a" shall be determined by linear interpolation.

Oc as defined in regulation 23 (1) *(a)* of this Annex,

Os	=	as defined in regulation 23 (1) (B) of this Annex
OA	=	the allowable oil outflow as required by regulation 24920 of this Annex.

(3) In the determination of "P(Ac)" and "P(As)" for segregated ballast tanks and spaces other than oil tanks for the following shall apply-

(a) the minimum width of each wing tank or which extends for the full depth of the ship's side or from the deck to the top of the double bottom shall be not less than 2 metres. The width shall be measured in board from the ship's at right angles to the centre line where a lesser width is provided the wing tank or space shall not be taken into account when calculating the protecting area "P(Ac)"; and

(b) the minimum vertical depth of each double bottom tank or space shall be B/15 or metres, whichever is the lesser. Where a lesser depth is provided the bottom tank or space shall not be taken into account when calculating the protecting area "P(As)".

The minimum width and depth of wing tanks and double bottom tanks shall be measured clear of the bilge area, in the case of minimum width, shall be measured clear of any rounded gunwale area.

REGULATION 13F

Prevention of oil pollution in the event of collision or stranding

Prevention of oil pollution in the event of collision or stranding.

(1) This regulation shall apply to oil tankers of 600 tons deadweight and above-

(a) for which the building contract is placed on or after 6 July 1993; or

(b) in the absence of a building contract, the keels of which are laid or which are at a similar stage of construction on or after 6 January, 1994; or

(c) the delivery of which is on or after 6 July, 1996; or

(d) which have undergone a major conversion-

(i) for which the contract is placed after 6 July, 1993; or

(ii) in the absence of a contract the construction work of which is begun after 6 January, 1994; or

(iii) which is completed after 6 July, 1996.

(2) Every oil tanker of 5,000 tons deadweight and above shall-

(a) in lieu of regulation 13E, as applicable, comply with the requirements of paragraph (3) unless it is subject to the provision of paragraphs (4) and (5); and

(b) comply, if applicable, with the requirements of paragraph (6).

(3) The entire cargo tank length shall be protected by ballast tanks or spaces other than cargo and fuel oil tanks as follows-

(a) Wing tanks or spaces

Wing tanks or spaces shall extend either for the full depth of the ship's side or from the top of the double bottom to the uppermost deck, disregarding a rounded gunwale where fitted. They shall be arranged such that the cargo tanks are located inboard of the moulded line of the side shell plating, nowhere less than the distance W which, as shown in Figure I, is measured at any cross section at right angles to this side shell as specified below-

w = 0.5+DW/20,000 (m) or

W = 2.0 m, whichever is the lesser.

The minimum value of w = 1.0 m.

(b) Double bottom tanks or spaces

At any cross-section the depth of each double bottom tank or space shall be such that the distance between the bottom of the cargo tanks and the moulded line of the bottom shell plating measured at right angles to the bottom shell plating as shown in Figure I is not less than specified below-

H B/15 (m) or

H 2.0 m, whichever is the lesser.

The minimum value ofh = 1.0 m.

(c) Turn of the bilge area or at locations without a clearly defined turn of the bilge when the distances hand ware different, the distance w shall have preference at levels 1.5 h above the baseline as shown in Figure 1.

(d) The aggregate capacity of ballast tanks

On crude oil tankers of 20,000 tons deadweight and above and product carriers of 30,000 tons deadweight and above, the aggregate capacity wing tanks double bottom tanks, forepeak tanks and after peak tanks shall not be less than the capacity of segregated ballast tanks necessary to meet the requirements of regulation 13. Wing tanks or spaces and double bottom tanks used to meet the requirement of regulation 13 shall be located as uniformly as practicable along the cargo tank length. Additional segregated ballast capacity provided for reducing longitudinal hull girder bending stress, trim, etc. may be located any where within the ship.

(a) Suction wells in cargo tanks

Suction wells in cargo tanks may protrude into the double bottom below the boundary line defined by the distance h provided that such wells are as small as practicable and the distance between the well bottom and bottom shell plating is not less than 0.5 h.

(f) *Ballast and cargo piping*

Ballast piping and other piping such as sounding and vent prping to ballast tanks shall not pass through cargo tanks. Cargo piping and similar piping to cargo tanks shall not pass through ballast tanks. Exemptions to this requirement may be granted for short lengths of piping provided that they are completely welded or equivalent.

(4) (a) Double bottom tanks or spaces as required by paragraph (3) *(b)* may be dispensed with, provided that the design of the tanker is such that the cargo and vapour pressure exerted on the bottom shell plating forming a single boundary between the cargo and sea does not exceed the external hydrostatic water pressure, as expressed by the following formula-

F x he x roc x g+ lOO delta (p)=<dn x ros x g

where-

hc	height of cargo in contract with the bottom shell plating in meters
roc	maximum cargo density in t/m^3
dn	minimum operating draught under any expected loading condition in metres
ros	density of sea water in t/m^3
delta (p)	maximum set pressure of pressure/vacuum valve provided for the cargo tank in bars
f	sa fety factor = 1. 1
g	standard acceleration of gravity (9.81 m/s^2).

(b) Any horizontal partition necessary to fulfil the above requirements shall be located at a height of not less than B/6 or metres, whichever is the lesser, but not more than 0.6D, above the baseline where D is the moulded depth amidships.

(5) The provisions of paragraph (1) of this regulation shall apply when the port or terminals where cargo is loaded on such voyages are provided with reception facilities adequate for the reception for the and treatment of all the ballast and tank washing water from oil tankers using them and all the following conditions are complied with-

(a) subject to the exceptions provided for in regulation 11 of this Annex, all ballast water, including clean ballast water, and tank washing residues are retained on board and transferred to the reception facilities and the appropriate entry in the oil;

(b) the location of wing tanks or spaces shall be as defined in paragraph (3) *(a)* except that, below a level 1.5 h above the baseline where h is as defined in paragraph (3) *(b),* the cargo tank boundary line may be vertical down to the bottom plating, as shown in Figure 2.

(5) Other methods of design and construction of oil tankers may also be accepted as alternatives to the requirements prescribed in paragraph (3), provided that such methods ensure at least the same level of protection against oil pollution in the event of collision or stranding and are approved in principle by the Marine Environment Protection Committee based on guidelines developed by the Organisation.

(6) For oil tankers of 20,000 tons deadweight and above the damage assumptions prescribed in regulation 25 (2) *(b)* shall be supplemented by the following assumed bottom raking damage-

(a) longitudinal extent-

(i) ships of 75,000 tons deadweight and above: 0.6L measured from the forward perpendicular;

(ii) ships of less than 75,000 tons deadweight O.4L measured from the forward perpendicular,

(b) transverse extent: B/3 anywhere in the bottom;

(c) vertical extent: breach of the outer hull.

(7) Oil tankers of less than 5,000 tons deadweight shall-

(a) at least be fitted with double bottom tanks or spaces having such a depth that the distance h specified in paragraph (3) *(b)* complies with the following- with a minimum value of h = 0.7 m;

in the turn of the bilge area and at locations without a clearly defined turn of the bilge, the cargo tank boundary tine shall run parallel to the line of the midship flat bottom as shown in figure 3; and

(b) be provided with cargo tanks so arranged that the capacity of each cargo tank does not exceed 700 m^J unless wing tanks or spaces are arranged in accordance with paragraph *(3)(a)* complying with the following-
W = 0.4 + (2.4 DW)/20,000 (m);
with a minimum value ofw = 0.76 m.

(8) Oil shall not be carried in any space extending forward of a collision bulkhead located in accordance with regulation 11-II11 of the International Convention for the Safety of Life at Sea, 1974, as amended. An oil tanker that is not required to have a collision bulkhead in accordance with that regulation shall not carry oil in any space-extending forward of the transverse plane perpendicular to the centre line that is located as if it were a collision bulkhead located in accordance with that regulation.

(9) In approving the design and construction of oil tankers to be built in accordance with the provisions of this regulation, Administrations shall have due regard to the general safety aspects including the need for the maintenance and inspection of wing and double bottom tanks or spaces.

Figure 1 Cargo tank boundary lines for the purpose of paragraph (3).

Figure 2 Cargo tank boundary lines for the purpose of paragraph (4).

Figure 3 Cargo tank boundary lines for the purpose of paragraph (7).

REGULATION 13G

Prevention of Oil Pollution in the event of Collision or Stranding Measures for existing Tankers

(1) This regulations shall-

(a) apply to-

(i) oil tankers of 20,000 tons dead weight and above carrying crude oil, fuel oil, heavy diesel oil or lubrication oil as cargo, and

(ii) oil tankers of 30,000 tons deadweight and above other than those referred to in subparagraph (i),

which are contracted, the keels of which are laid, or which are delivered before the dates specified in regulation 13F (1) of this Annex; and

(b) not apply to oil tankers complying with regulation 13F of this Annex, which are contracted, the keels of which are laid, or are delivered before the dates specified in regulation 13F (1) of this Annex; and

(c) not apply to oil tankers covered by subparagraph *(a)* above which comply with regulation 13F (3) *(a)* and *(b)* or 13F (4) or 13F (5) of this Annex except that the requirement fro minimum distances between the cargo tank boundaries and the ship side and bottom plating need not be met in all respects. In the event, the side protection shall not be less than those specified in the International Bulk Chemical Code for type 2 cargo tank location and the bottom protection shall comply with regulation 13E (4) *(b)* of this Annex.

(2) The requirements of this regulation shall take effect as from 6 July, 1995, except that the requirements of paragraph (1) *(a)* applicable to oil tankers of 20,000 tons deadweight and above but less than 30,000 tons deadweight carrying fuel oil, heavy diesel oil or lubricating oil as cargo shall take effect as from 1 January, 2003.

(2bis) For the purpose of paragraphs (1) and (2) of this regulation-

(a) **"heavy the diesel oil means marine diesel oil, other"** than those distillates of which more than of percent by volume distils at a temperature not exceeding 340 degrees C when tested by the method acceptable to the Organisation;

(b) **"fuel oil"** means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the specification acceptable to the Organisation.

(3) (a) An oil tanker to which this regulation applies shall be subject to an enhanced programme of inspections during periodical, intermediate and annual surveys, the scope and frequency of which shall at least comply with the guidelines developed by the Organisation.

(b) An oil tanker over five years of age to which this regulation applies shall have on board, available to the competent authority of any Government of a State Party to the present Convention, a complete file of the survey reports, including the results of all scantling measurement required, as well as the statement of structural work carried out.

(c) This file shall be accompanied by a condition evaluation report, containing conclusions on the structural condition of the ship and its residual scantling endorsed to indicate that it has been accepted by or on behalf of the flag, Administration. This file and condition evaluation report shall be prepared in a standard format as contained in the guidelines developed by the Organisation.

(4) An oil tanker not meeting the requirement of a new oil tanker as defined in regulation 1 (26) of this annex shall comply with the requirements of regulation 13F of this Annex not later than 25 years after its date of delivery, unless wing tanks or double bottom spaces, not used for the carriage of oil and meeting the width and height requirements of regulation 13E (4), cover at least 30% of the projected bottom shell area within the length Lt, where Lt and the projected bottom shell area are as defined in regulation 13E (2), in which case compliance with regulation 13F is required not later than 30 years after its date of delivery.

(5) An oil tanker meeting the requirements of a new oil tanker as defined in regulation 26 of this Annex-shall comply with the requirement of regulation 13F of this Annex not than later than 30 years its date delivery.

(6) Any new ballast and load conditions resulting from the application of paragraph (4) of this regulation shall be subject to approval of the Administration which shall have regard, in particular, to longitudinal and local strength, intact stability and, if applicable, damage stability .

(7) Other structures or operational arrangements such as hydrostatically balanced loading may be accepted as alternative to the requirement prescribed in paragraph (4), provided as that alternative ensure at least the same level of protection against oil pollution in the event of collision or stranding and are approved by the Administration based developed by the Organisation.

REGULATION 14

Segregation of Oil and Water Ballast and Carriage of Oil in Forepeak Tanks

(1) Except as provided in paragraph (2) of this regulation in new ships of 400 gross tonnage and above other than oil tankers, and in new oil tankers of 150 gross tonnage and above, no ballast water shall be carried in any oil fuel tank.

(2) Where abnormal conditions or the need to carry large quantities of oil fuel render it necessary to carry ballast water which is not a clean ballast in any oil fuel tank, such ballast water shall be discharged to reception facilities or into the sea in compliance with regulation 9 using the equipment specified in regulation 16 (2) of this Annex, and an entry shall made in the Oil Record Book to this effect.

(3) All other ship shall comply with requirement of paragraph (1) of this regulation as far as reasonable and practicable.

(4) In a ship of 400 gross tonnage and above, for which the building contract is placed after I January 1982 or, in the absence of a building contract, the keel of which is laid or which is laid or which is at a similar stage of construction after 1 July 1982, oil shall not be carried in a forepeak tank forward of the collision bulkhead.

(5) All ships other than those subject to paragraph (4) of this regulation shall comply with the provisions of that paragraph, as far as is reasonable and practicable.

REGULATION 15

Retention of Oil on Board

(1) Subject to the provisions of paragraphs (5) and (6) of this regulation, oil tankers of 150 gross tonnage and above shall be provided with arrangements in accordance with the provisions of paragraphs (2) and (3) of this regulation, provided that in case of existing tankers the requirements shall apply three years after the date of entry into force of the present Convention.

(2) (a) Adequate means shall be provided for cleaning the cargo tanks and transferring the dirty ballast residue and tank washing from the cargo tanks into a slop tank approved by the Administration. In existing oil tankers, any cargo tank, may be designated as a slop tank.

(b) In this system arrangements shall be provided to transfer the oily waste into a slop tank or combination of slop tanks in such a way that any effluent discharged into the sea wi 11 be as to comply with provision of regulation 9 of this Annex.

(c) The arrangements of the slop tank or combination of slop tanks shall have a capacity necessary to retain and the slop generated by tank washings, oil residues and dirty ballast residues. The total capacity of the slop tank of ships, except that the Administration may accept-

(i) 2 percent for such oil tankers where the tank washing arrangements are such that once the slop tank or tanks are charged with washing water, this water is sufficient for tank washing and, where applicable, for providing the driving fluid for ejectors without the introduction of additional water into the system;

(ii) 2 percent where segregated ballast tanks or dedicated clean ballast tanks are provided in accordance with Regulation 13 of this Annex, or where a cargo tank cleaning system using crude oil washing is fitted in accordance with regulation 138 of this Annex. This capacity may be further reduced to 1.5 percent for such oil tankers which the tank washing arrangements are such that once the slop tank or tanks are charged with washing water, this water is sufficient for tank washing and, where applicable, for providing the driving fluid for ejectors, without the introduction of additional water into the system;

(iii) 1 percent for combination carriers where oil cargo is only carried in tanks with smooth walls. This capacity may be further reduced to 0.8 percent where the tank washing arrangements are such that once the slop tank or

tanks are charged with washing water, this water is sufficient for tank washing and, where applicable, for providing the driving fluid for ejectors, without the introduction of additional water into the system. New oil tankers of 70,000 tons dead weight and above shall be provided with at least two slop tanks.

(d) Slop tanks shall be so designed particularly in respect of the position of inlets, outlet, baffles or weirs where fitted, so as to avoid excessive turbulence and entrainment of oil or emulsion with the water.

(3) (a) Oil discharge monitoring and control system approved by the Administration shall be fitted. In considering the design oil content meter to be incorporated in the system, the Administration shall have regard to the specification recommended by the Organisation. The system shall be fitted with a recording device to provide a continuous record of the discharge in litres percent nautical mile and total quantity discharged, or the oil content and rate of discharge. This record shall be identifiable as to time and date and shall be kept for at least three years. The oil discharge monitor and control system shall come into operation when there is any discharge of oily mixture is automatically stopped when the instantaneous rate of discharge of oil exceeds that permitted by regulation 9 (1) *(a)* of this Annex. Any failure of this monitoring and control system shall stop the discharge and be noted in the oil record book. A manually operated alternative method shall be provided and may be used in the event of such failure, but the defective unit shall be made operable as soon as possible. The port State authority may allow the tanker with a defective unit to undertake one ballast voyage before proceeding to a repair port. The oil discharge monitoring and control system shall be designed and installed in compliance with the Guidelines and Specifications for Oil Discharge Monitoring and Control System for Oil Tankers developed by the Organisation detailed in the Guidelines and Specifications.

(b) Effective oil/water interface detectors approved by the Administration shall be provided for a rapid and accurate determination of the oil water interface in slop tanks and shall be available for use in other tanks where the separation of oil and water is effected and from which it is intended to discharge effluent direct to the sea.

(c) Instructions as to the operation of the system shall be in accordance with an operation manual approved by the Administration. They shall cover manual as well as automatic operations and shall be intended to ensure that at no time shall oil be discharge except in compliance with the conditions specified in regulation 9 of this Annex.

(4) The requirements of paragraphs (1), (2) and (3) of this regulation shall not apply to oil tankers of less than 150 gross tonnage, for which the control of discharge of oil under regulation 9 of this Annex shall be effected by the retention of oil on board with subsequent discharge of all contaminated washing to reception facilities. The total quantity of oil and water used for washing and returned to a storage tank shall be recorded in the oil and water used for washing in the oil record book. This total quantity shall be discharged to reception facilities unless adequate arrangements are made to ensure that any effluent which is allowed to be discharge into the sea is effectively monitored to ensure that the provisions of regulation 9 of this Annex are complied with.

(5) (a) The Administration may waive the requirements if paragraphs (1), (2) and (3) of this regulation for any oil tanker which engages exclusively on voyage both of 72 hours or less in duration and within 50 miles from the nearest land, provided that the oil tanker is en-

gaged exclusively in trades between ports or terminals within a State Party to the present Convention. Any waiver shall be subject to the requirement that the oil tanker shall retain on board all oily mixtures for subsequent discharge to reception facilities, and to the determination by the Administration that facilitates available to receive such oily mixtures are adequate.

(b) The Administration may waive the requirements of paragraph (3) of this regulation for oil tankers other than those referred to in subparagraph *(a)* of this paragraph in case where-

(i) the tanker is an existing oil tanker of 40,000 tons deadweight or above, as referred to in regulation 13C (1) of this Annex, engaged are complied with; or

(ii) the tanker is engaged exclusively in one or more of the following categories of voyages-

(1) voyages within special area; or

(2) voyages within 50 miles from the nearest land outside special areas where the tanker is engaged in-

(aa) trades between parts or terminals of a State Party to present Convention; or

(bb) restricted Voyages as determined by the Administration, and of 72 hours r less duration; provided that all of the following conditions are complied with;

(3) all oily mixtures are retained on board for subsequent discharge to reception facilities;

(4) for voyages specified in subparagraph *(b)* (ii) (2) of this paragraph, the Administrative has determined that adequate reception facilities are available to receive such oily mixtures in those oil loading ports or terminals the tanker calls at;

(5) the International Oil Pollution Prevention Certificate, when required, is endorsed to the effect that the ship is exclusively engaged in one or more ofthe categories of voyages specified in subparagraphs (*b)* (ii) (1) and *(b)* (ii) (2) *(bb)* of this paragraph; and

(6) the quantity, time and port of the discharge are recorded in the oil record book.

(6) Where in the view of the Organisation equipment required by regulation 9 (1) *(a)* (vi) of this Annex and specified in subparagraph (3) *(a)* of this regulation is not obtained for the monitoring of discharge of light refine products (white oils), the Administration may waive compliance with procedures established by the Organisation which shall satisfy the condition of regulation 9 (1) *(a)* of this Annex except the obligation to have an oil discharge monitoring and control system in operation. The Organisation shall review the available of equipment at intervals not exceeding twelve months.

(7) The requirements of paragraphs (1), (2) and (3) of this regulation shall not apply to oil tankers carrying asphalt or other products subject to the provisions of this Annex. Which through their physical properties inhibit effective product/water separation and monitoring, for

which the control of discharge under regulation 9 of this Annex shall be effected by the retention of residues on board with discharge of all contaminated washings to reception facilities.

REGULATION 16

Oil Discharge Monitoring and Control System and Oil Filtering Equipment

(1) Any ship of 400 gross tonnage and above but less than 10,000 gross tonnage shall be fitted with oil filtering, equipment complying with paragraph (4) of this regulation. Any such ship which carries large quantities of oil fuels comply with paragraph (2) of this regulation or paragraph (1) of regulation 14.

(2) Any ship of 10,000 gross tonnage and above shall be provided with oil filtering equipment, and with arrangements for an alarm for automatically stopping any discharge of oily mixture when the oil content in the effluent exceeds 15 parts per million.

(3) (a) The Administration may waive the requirements of paragraphs (1) and (2) of this regulation for any ship engaged exclusively on voyages within special areas provided that all of the following conditions are complied with-

(i) the ship is fitted with a holding tank having a volume adequate, to the satisfaction of the Administration, for the total retention on board of the oily bilge water;

(ii) all oily bilge water is retained on board for subsequent discharge to reception facilities;

(iii) the Administration has determine that adequate reception facilities are available to receives such oily bilge water in a sufficient number of ports or terminals the ship calls at;

(iv) the Interval Oil Pollution Prevention Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on the voyages within special area; and

(v) the quantity, time and port of the discharge recorded in the oil record book.

(b) The Administration shall ensure that ships of less than 400 gross tonnages are equipped, as far as practicable, to retain on board soil or oily mixtures or discharge them in accordance with requirement of regulation 9 (1) *(b)* of this Annex.

(4) Oil filtering equipment referred to in paragraph (1) of this regulation shall be of a design approval by the Administration and shall as will ensure that any oily mixture discharged into the sea after passing through the system has an oil content not exceeding 15 parts per million. In consideration the design of such equipment, the Administration shall have regard to the specification recorded by the Organisation.

(5) Oil filtering equipment referred to in paragraph (2) of this regulation shall be of a design approved by the Administration and shall be such as will ensure that any oily mixture discharge into the sea after passing through the system or systems has an oil content not exceeding 15 parts per million. It shall be provided with alarm arrangements to indicate when this level cannot be maintained. The system shall also be provided with arrangements such as will ensure that any discharge of oily mixtures is automatically stopped when the oil content of the effluent exceeds 15 parts per million. In considering the design of such equipment and arrangements, the Administration shall have regard to the specification recommended by the Organisation.

(6) For ships delivered before 6 July 1993 the requirements of this regulation shall apply by 6 July 1998 provided that these ships can operate with oily-water separating requirement (lOO ppm equipment).

REGULATION 17

Tanksfor Oil Residues (Sludge)

(1) Every ship of 40 gross tonnage and above shall be provided with a tank of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oily residue (sludge which cannot be dealt with otherwise in accordance with the requirements of this Annex, such as those resulting from the purification of fuel and lubricating oils and oil leakage in the machinery spaces.

(2) In new ships, such tanks shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities. Existing ships shall comply with this requirement as far as is reasonable and practicable.

(3) Piping to and from sludge tanks shall have no direct connection overboard other than the standard discharge connection referred to in regulation 19.

REGULATION 18

Pumping, Piping and Discharge Arrangements of Oil Tankers

(1) In every oil tanker, a discharge manifold for connection to reception facilities for the discharge of dirty ballast water or oil contaminated water shall be located on the open deck on both sides of the ship.

(2) In every oil tanker, pipelines for the discharge to the sea of ballast water or oil contaminated water from cargo tank areas which may be permitted under regulation 9 or regulation 10 of this Annex shall be led to the open deck or to the ship's side above the waterline in the deepest ballast condition. Different piping arrangements to permit operation in the manner permitted in subparagraph (6) *(a)* to *(e)* of this regulation may be accepted.

(3) In new oil tankers means shall be provided for stopping the discharge into the sea of ballast water or oil contaminated water from cargo tank areas, other than those discharges below the waterline permitted under paragraph (1) of this regulation and the discharge to the sea from use referred to in paragraph (2) of this regulation may be visually observed. Means for stopping the discharge need not be provided at the observation position if a positive communication system such as a telephone or radio system is provided between the observation position and the discharge control position.

(4) Every new oil tanker required to be provided with segregated ballast tanks or fitted with a crude oil washing system shall comply with the following requirements-

(a) it shall be equipped with oil piping so designed and installed that oil retention in the lines is minimised; and

(b) means shall be provided to drain all cargo pumps and all oil lines at the completion of cargo discharge, where necessary by connection to a stripping device. The line and pump draining shall be capable of being discharged both ashore and to a

cargo tank or slop tank. For discharge ashore a special small diameter line shall be provided and shall be connected outboard of the ship's manifold valves.

(5) Every existing crude oil tanker required to be provided with segregated ballast tanks, or to be fitted with a crude oil washing system, or to operate with dedicated clean ballast tanks, shall comply with the provisions of paragraph (4) *(b)* of this regulation.

(6) On every oil tanker the discharge of ballast water or oil contaminated water from cargo tank areas shall take place above the waterline, except as follows-

(a) segregated ballast and clean ballast may be discharge below the waterline-

(i) in ports or at offshore terminals; or

(ii) at sea by gravity:

Provided that the surface of the ballast water has been examined immediately before the discharge to ensure that no contamination with oil has taken place;

(b) existing oil tankers which, without modification, are not capable of discharging segregation ballast above the waterline at sea, provided that the surface of the ballast water had been examined immediately before the discharge to ensure that no contaminated with no oil has taken place;

(c) existing oil tankers operating with dedicated clean ballast tanks, which without modification are not capable of discharging ballast water from dedicated clean ballast tanks above the waterline, may discharge this ballast below the waterline provided that the discharge of the ballast water is supervised in accordance with regulation 13A (3) of this Annex;

(d) on every oil tanker at sea, dirty ballast water or oil contaminated water from tanks in the cargo area, other than slop tanks, may be discharged by gravity below the waterline, provided the sufficient time has elapsed in order to allow oil/water separation to have taken place and the ballast water has been examined immediately before the discharge with an oil/water interface detector referred to in regulation 15 (3) *(b)* of this Annex, in order to ensure that the height of the interface is such that the discharge does not involve any increased risk of harm to the marine environment;

(e) on existing oil tankers at sea, dirty ballast water or oil contaminated water from cargo tank areas may be discharge below the waterline, subsequent to or in lieu of the discharge by the method referred to in subparagraph *(d)* of this paragraph:

Provided that-

(i) a part of the flow of such water is led through permanent piping to a readily accessible location on the upper deck or above where it may be visually observed during the discharge operation; and

(ii) such part flow arrangements comply with the requirements established by the Administration, which shall contain at least all the provisions for the specifications for the design, installation and operation of a part flow system for control overboard discharges adopted by the Organisation.

REGULATION 19

Standard Discharge Connection

To enable pipes of reception facilities to be connected with the ship's discharge pipeline for residues from machinery bilges, both lines shall be fitted with a standard discharge connection in accordance with the following table:

Standard Dimensions of Flanges for Discharge Connections

Description	*Dimension*
Outside diameter	25mm
Inner diameter	According to pipe outside diameter
Bolt circle diameter	183 mm
	6 holes, 22 mm in diameter equidistantly place on a bolt circle of
Slots in flange	the above diameter, slotted to the flange periphery the slot width
	to be 22 mm
Flange thickness	20mm
Bolts and nuts:	
Quantity, diameter	6 each of 20 mm in diameter and of suitable length
The flange is designed to accept pipes up to a maximum internal diameter of 125 mm and shall be	
of steel or other equivalent material having a flat face. This flange, together with a gasket of oil-	
proof materials, shall be suitable for service pressure of 6 kg/ern".	

REGULATION 20

Oil Record Book

(1) Every oil tanker of 150 gross tonnage and above every ship of 400 gross tonnage and above other than an oil tanker shall be provided with an Oil Record Book Part I (Machinery Space Operations).

Every oil tanker of 150 gross tonnage and above shall also be provided with an Oil Record Book Part II (Cargo/Ballast Operations). The Oil Record Book(s), whether as a part of the ship's official log-book or otherwise, shall be in the formes) specified in Appendix III to this Annex.

(2) The Oil Record Book shall be completed on each occasion, on a tank to tank basis if appropriate, whenever any of the following operations take place in the ship--

(a) for machinery space operations (all ships) -

(i) ballasting or cleaning of oil fuel tanks;

(ii) discharge of dirty ballast or cleaning water from tanks referred to under (i) of the subparagraph;

(iii) disposal of oily residues (sludge);

(iv) discharge overboard or disposal otherwise of bilge water which has accumulated in machinery spaces;

(b) for cargo/ballast operation (oi I tankers)-

(i) loading of oil cargo;

(ii) internal transfer of oil cargo during voyage;

(iii) unloading of oil cargo;

(iv) ballasting of cargo tanks and dedicated clean ballast tanks;

(v) cleansing of cargo tanks including crude oil washing;

(vi) discharge of ballast except from segregated ballast tanks;

(vii) discharge of water from slop tanks;

(viii) closing of all applicable valves or similar devices after slop tank discharge operations;

(ix) closing of valves necessary fro isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations;

(x) disposal of residues.

(3) In the event of such discharge of oil or oily mixture as is referred to in regulation II of this Annex or in the event of accidental or other exceptional discharge of oil not accepted by that regulation, a statement shall be made in the oil record book of the circumstances of, and the reasons for the discharge.

(4) Each operation described in paragraph (2) of this regulation shall be fully recorded without delay in the oil record book so that all the entries in the book appropriate to that operation are completed. Each completed operation shall be signed by the officers in charge of the operations concerned and each completed page shall be signed by the master of the ship. The entries in the oil record book shall be of an official language of the State whose flag the ship is entitled to fly, and, for a ship holding an International Oil Pollution Prevention Certificate, in English or French. The entries in an official national language of the State whose flag the ship is entitles to fly shall prevail in case of a dispute or discrepancy.

(5) The Oil Record Book shall be kept in such a place as to be readily available for inspection at all reasonable times and, except in the case of unnamed ships under tow, shall be kept on board the ship. It shall be preserved for a period of three years after the last entry has been made.

(6) The competent authority of the Government of a Party to the Convention may inspect the Oil Record Book on board any ship to which this Annex applies while the ship is in its port or offshore terminals and may make a copy of any entry in that book and may require the master of the ship to certify that the copy is a true copy of such entry. Any copy so made which has been certified that the copy is a true copy of such entry. Any copy so made which has been certified by the master of the ship as a true copy of an entry in the ship's oil record book shall be made admissible in any judicial proceedings as evidence of the facts stated in the entry. The inspection of an Oil Record Book and taking of a certified copy by the compe-

tent authority under this paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

(7) For oil tankers of less than ISO gross tonnage operating in accordance with regulation IS (4) of this Annex an appropriate Oil Record Book should be developed by the Administration.

REGULATION 21

Special Requirementsfor Drilling Rigs and other Platforms

Fixed and floating drilling rigs when engaged in the exploration and association offshore processing of sea bed mineral resources and other platforms shall comply with the requirements of this Annex application to ships of 400 gross and above other than tankers, except that-

(a) they shall be equipped as far as practicable with the installation required in regulations 16 and 17 of this Annex;

(b) they shall keep a record of all operations involving oil or oily mixture discharges, in a form approved by the administration; and

(c) subject to the provisions of regulation 11 of this Annex, the discharge into the sea of oil or oily mixture shall be prohibited except when the oil content of the discharge without dilution does not exceed 15 parts per million.

CHAPTER III

Requirements for Minimising Oil Tanker Spillage due to Side and Bottom Damages

REGULATION 22

Damage Assumptions

(1) For the purpose of calculating hypothetic oil outflow from oil tankers, three dimensions of the extent of damage of a parallelepiped on the side and bottom of the ship are assumed as follows. In the case of bottom damages two conditions are set forth to be applied individually to the state of the oil tanker-

(a) side damage-

(i)	Longitudinal extent (lc);	(Lexp (2/3))/3 or 14.5 B/5 or 11.5 meters, which ever is less
(ii)	Transverse extent (tc) (inboard from the ship's side at right angles to the centerline at the level corresponding to the assigned summer freeboard): meters, whichever is less	
(iii)	Vertical extent (Vc);	From the base line upwards without limit

-

(b) Bottom damage-

For 0.3L from the forward perpendicular of the ship	Any other part of the ship

(i)	Longitudinal extent (Is):	L/10 or 5 meters, whichever is less
(ii)	Transverse extent (ts) but not less than 5 metres	B/6 or 10 metres, whichever is less,
(iii)	Vertical extent from the base line (Vs):	B/15 or 6 metres, which ever is less

(2) wherever the symbols given in this regulation appear in this Chapter, they have the meaning as defined in this regulation.

REGULATION 23

Hypothetical Outflow of Oil

(1) The hypothetical outflow of oil in the case of side damage (Oc) and bottom damage (Os) shall be calculated by the following formulae with respect to compartments breached by damage to all conceivable locations along the length of the ship to the extent as defined in regulation 22 of this Annex-

(a) For side damages:

Oc = Sum (Wi) + Sum«Ki)(Ci» (I)

(b) For bottom damages:

Os = (Sum ((Zi)(Wi)) + Sum((Zi)(Ci))3 (II)

Where: Wi = volume of a wing tank in cubic metres assumed to be breached by the damage as specified in regulation 22 of this Annex; Wi for a segregate ballast tank may be taken equal to zero,

Ci = volume of a centre tank in cubic metres assumed to be breached by the damage as specified in regulation 22 of this Annex; Ci for a segregated ballast tank may be taken equal to zero,

Ki = 1 bi/tc : when bi is equal to or greater than tc, Ki shall be taken to equal to zero,

Zi = 1-hi/Vs : when hi is equal to or greater than Vs, Zi shall be taken I equal to Zero,

bi = width of wing tank in metres under consideration measured inboard from the ship's side at right angles to the centerline at the level corresponding to the assigned summer freeboard.

Hi = minimum depth of the double bottom in metres under consideration; where no double bottom is fitted hi shall be taken equal to zero.

Wherever symbols given in this paragraph appear in this chapter, they have meaning as defined in this regulation.

(2) If a void space or segregated ballast tank of a length less than Ci in formula (I) may be calculated on the basis of volume Wi being the actual volume of one such tank (where they are of equal capacity) or the smaller of the two tanks (if they differ in capacity) adjacent to such space multiplied by Si as defined below and taking for all other wing tanks involved in such a collision the value of the actual **full** volume.

Si = I-Ii/Ic

Where Ii = length in meters of void space or segregated ballast tank under consideration.

(3) (a) Credit shall only be given in respect of double bottom tanks which are either empty or carrying clean water when cargo is carried in the tanks above.

(b) Where the double bottom does not extend for the full length and width of the tank involved, the double bottom is considered non existent and the volume of the tanks above the area of the bottom damage shall be included in formula (II) even if the tank is not considered breached because of the installation of such a partial double bottom.

(c) Suction wells may be neglected in the determination of the value Hi; provided such wells are not excessive in mea extend below the tank for a minimum distance and in no case more than half the height of the double bottom. If the depth of such a well exceeds half the height of the double bottom Hi shall be taken equal to the double bottom height minus the well height.

Piping serving such wells if installed within the double bottom shall be fitted with values or other closing arrangements located at the point of connection to the tank. Served to prevent oil outflow in the event of damage to the piping. Such piping shall be kept closed at sea at any time when the tank contains oil cargo, except that they may be opened only for cargo transfer needed for the purpose of trimming of the ship.

(4) In the case where bottom damage simultaneously involves four centre tanks, the value of Os = Sum (Zi)(Ci))4 (III).

(5) An Administration may credit as reducing oil outflow in case of bottom damage, an installed cargo transfer system having an emergency high suction in each cargo oil tank, capable of transferring from a breached tank or tanks to segregated ballast tanks or to available cargo tank age if it can be assured that such tanks will transfer in two hours of operation oil equal to one half of the largest of the breached tanks involved and by availability of equivalent receiving capacity in ballast or cargo tanks. The credit shall be confined to permitting calculation of Os according to formula (III). The pipes for such suctions shall be installed at least at a height not less than the vertical extent of the bottom damage Vs. The Administration shall supply the Organisation with the information concerning the arrangements accepted by it, for circulation to other parties to the Convention.

REGULATION 24

Limitation of Size and Arrangement of Cargo Tanks

(1) Every new oil tanker shall comply with the provisions of this regulation every existing oil tanker shall be required, within two years after the date of entry into force of the present Convention, to comply with the provision of this regulation if such a tanker falls into either of the following categories-

(a) a tanker, the delivery of which is after 1 January, 1977; or

(b) a tanker to which both the following conditions apply-

(i) delivery is not later than 1 January, 1977; and

(ii) the building contract is placed after 1 January, 1974, or in case where no building contract has previously been placed, the keel is laid or the tanker is at a similar stage of construction after 30 June, 1974.

(2) Cargo tanks of oil tanker shall be of such size and arrangements that the hypothetical outflow Oc or Os calculated in accordance with the provisions of regulation 23 of this Annex anywhere in the length of the ship does not exceed 30,000 cubic metres or (400* cubic root (DW)), where is the greater, but subject to a maximum of 40,000 cubic meters.

(3) The volume of anyone wing cargo oil tank of an oil tanker shall not exceed seventy-five percent of the limits of the hypothetical oil outflow referred to in paragraph (2) of this regulation. The volume of anyone centre cargo oil tank shall not exceed 50,000 cubic metres. However, in segregated ballast oil tankers as defined in regulation 13 of this Annex, the

permitted volume of a wing cargo oil tank situated between two segregated ballast tanks, each exceeding Ic in length, may be increase to the maximum limit of hypothetical oil outtlow provided that the width of the wing tanks exceeds tc values, whichever is the greater-

(a) where no longitudinal bulkhead is provided inside the cargo tanks-

(0.25bi/B+0.I)L but not to exceed 0.2L

(b) where a centerline longitudinal bulkhead is provided inside the cargo tanks-

(0.25bi/B+0.15)L,

(c) where two or more longitudinal bulkheads are provided inside the cargo tanks-

(i) for wing cargo tanks: 0.2L

(ii) for centre cargo tanks-

(1) if bi/B is equal to or greater than fifth: 0.2L

(2) if bi/B is less than one fifth-

where no centerline longitudinal bulkhead is provided-

(0.5bi/B+0.1)L

where no centerline longitudinal bulkhead is provided-

(0.25bi/B+0.15)L

(d) "bi" is the minimum distance from the ship's side to the outer longitudinal bulkhead of the tank in question measured inboard at right angles to the center-line at the level corresponding to the assigned summer freeboard.

(5) In order not to exceed the volume limits established by paragraphs (2), (3) and (4) of this regulation and irrespective of the accepted type of cargo transfer system installed, when such system interconnects two or more cargo tanks, valves or other similar closing devices shall be provided for separating the tanks from each other. These valves or devices shall be closed when the tanker is at sea.

(6) Lines of piping which run through cargo tanks in a position less than vc from the ship's side or less than Vc from the ship's bottom shall be fitted with valves or similar closing devices at the point at which they open into any cargo tank. These values shall be kept closed at sea at any time when the tanks contain cargo oil, except that they may be opened only for cargo transfer needed for the purpose of trimming of the ship.

REGULATION 25

Sub-division and Stability

(1) Every new oil tanker shall comply with the subdivision and damage stability criteria as specified in paragraph (3) of this regulation, after the assumed side or bottom damage as specified in paragraph (2) of this regulation, for any Operating draught retlecting actual partial or full load conditions consistent with trim and strength of the ship as well as specific gravities of the cargo. Such damage shall be applied to all conceivable location along the length of the ship as follows-

(a) in tankers of more than 225 metres in length, anywhere in the ship's length;

(b) in tankers of more than 150 metres but exceeding 225 metres in length, anywhere in the ship's length except involving either after of forward bulkhead bounding the machinery space located aft or the machinery space shall be treated as a single tloodable compartment;

(c) in tankers not exceeding 150 metres in length, anywhere in the ship's length between adjacent traverse bulkheads with the exception of the machinery space. For tankers of 100 metres or less in length where all requirements of paragraph (3) of this regulation cannot be fulfilled without materially impairing the operational qualities of the ship, Administrations may allow relaxations from these requirements.

Ballast conditions where the tanker is not carrying oil in cargo tanks excluding any oil residue, shall not be considered.

(2) The following provisions regarding the extent and the character of the assumed damage shall apply-

(a)	*side damage*	
	(i) Longitudinal extent	(Lexp (2/3))/3 or 14.5 Meters, whichever is less
	(ii) Transverse extent (Inboard from the ship's side at right angles to the center-line at the level of the summer load line):	B/S or 11.5 meters, whichever is less
	(iii) Vertical extent	from the moulded line of the bottom shell plating at centerline, upwards without limit;
(b)	*bottom damage* for 0.3L from the forward perpendicular of the ship	Any other part of the ship
	(i) Longitudinal	(Lexp(2/3))/3 or 5 meters, Whichever is less

extent:

(ii)	Transverse extent	B/6 or 10 meters, B/6 or 5 meters, whichever is less
(iii)	Vertical extent	B/15 or 6 metres, whichever is less measured from the moulded line of the bottom of shell planting at centreline;

(c) if any damage of a lesser extent than the maximum extent of damage specified in subparagraphs *(a)* and *(b)* of this paragraph would result in a more severe condition, such damage shell be considered;

(d) where the damage involving transverse bulkheads is envisaged as specified in subparagraph (1) *(a)* and *(b)* of this regulation, transverse watertight bulkheads shall be spaced at least at a distance equal to the longitudinal extent of assumed damage specified in subparagraph *(a)* of this paragraph in order to be effective. Where transverse bulkheads are at a lesser distance, one or more of these bulkheads within such extent of damage shall be assumed as non existent for the purpose of determining flooded compartments;

(e) where the damage between adjacent transverse watertight bulkheads is envisaged as specified in subparagraph (1) *(c)* of this regulation, no main transverse

bulkhead bounding side tanks or double bottom tanks shall be assumed damage, unless-

(i) the spacing of the adjacent transverse watertight is less, than the longitudinal extent of assumed damage specified in subparagraph *(a)* of this paragraph; or

(ii) there is a step or a recess in a transverse bulkhead of more than 3.05 meters in a transverse bulkhead of more than 3.05 metres in length, located within the extent of penetration of assumed damage. The step formed by the after peak bulkhead and after peak tank top shall not be regarded as a step for the purpose of this regulation;

(f) if pipes, ducts or tunnels are situated within the assumed extent of damage arrangements shall be made so that progressive flooding cannot thereby extend to compartment other than those assume to be floodable for each case of damages.

(3) Oil tankers shall be regarded as complying with the damage stability criteria if the following requirements are met-

(a) the final waterline, taking into account sink age, heel and trim, shall be below the lower edge of any opening through which progressive flooding may take place. Such openings shall include air pipes and those which are closed by means of watertight manhole covers and flush scuttles small watertight cargo tank hatch covers which maintain the high integrity of the deck, remotely watertight sliding doors, and side scuttles of the non-opening type;

(b) in the final stage of flooding, the angel of heel due to unsymmetrical flooding shall exceed 25 degrees, provided that this angle may be increase up to 30 degrees ifno deck edge immersion occurs;

(c) the stability in the final stage of flooding shall be investigated and may be regarded as sufficient if the righting lever curve has at least a range of 20 degrees beyond the position of equilibrium in association with a maximum residual righting lever of at least than 0.0175 metres radians. Unprotected openings shall not be immersed within this range unless the space concerned is assumed to be flooded. Within this range, the immersion of any opening listed in subparagraph *(a)* of range, the immersion of any of the opening listed in subparagraph *(a)* of this paragraph and other openings capable of being closed weather tight may be permitted;

(d) the Administration shall be satisfied that the stability is sufficient during intermediate stages of flooding;

(e) equalisation arrangements requiring mechanical aids as valves or cross levelling pipes, if fitted, shall not be considered for the purpose of reducing an angle of heel or attaining the minimum range of residual stability to meet the requirements of sub paragraphs *(a), (b)* and *(c)* of this paragraph and sufficient re sidual stability shall be maintained during all stages where equalisation is issued. Spaces which are linked by ducts of a large cross sectional area may be considered to be common.

(4) The requirements of paragraph (1) of this regulation shall be confirmed by calculations which take into consideration the design characteristics of the ship, the arrangements configuration and contents of the damage compartments; and the distribution; specific gravities and the free surface effect of liquids. The calculations shall be based on the following-

(a) account shall be taken of any empty or partially filled tank, the specific gravity of cargoes carried, a well as any outflow of liquids from damaged compartments;

(b) the permeabilities assumed for space flooded as a result of damage shall be as follows-

Spaces

	Permeabilities
Appropriate to stores	0.60
Occupied by accommodation	0.95
Occupied by machinery	0.85
Voids	0.95
Intended for consumable liquids	0 to 0.95*
Intended for other liquids	0 to 0.95*;

(c) the buoyancy of any superstructure directly above the side damage shall be disregarded. The unflooded parts of superstructures beyond the extent of damage, however, may be taken into consideration provided that they;

[EDITORIAL NOTE: The full text of this paragraph was not available at the time of print. It will be included in future updates to the work.]

(d) the free surface shall be calculated at an angle of heel of 5 degrees for each individual compartment. The Administration may require or allow the free surface corrections to be calculated at an angle of heel greater than 5 degrees for partially filled tanks;

(e) in calculation the effect of free surfaces of consumable liquids it shall be assumed that, for each type of liquid at least one transverse pair of a single center line into account shall be those where the effect of free surface is the greatest.

(5) The Master of every new oil tanker and the person in charge of a non-self propelled oil tanker to which this Annex applies shall be supplied in an approved from with-

(a) information relative to loading and distribution of cargo necessary to ensure compliance with the provisions of this regulation; and

(b) data on the ability of the ship to comply with damage stability criteria as determined by this regulation, including the effect of relaxations that may have been allowed under subparagraph (1) *(c)* of this regulation.

REGULATION 25A

Intact Stability

(1) This regulation shall apply to oil tankers of 5,000 tons deadweight and above-

(a) for which the building contract is placed on or after 1 February, 1999; or

(b) in the absence ofa building contract, the keels of which are laid or which are at a similar stage of construction on or after 1 August, 1999; or

(c) the delivery of which is on or after 1 February, 2002; or

(d) which have undergone a major conversation-

(i) for which the contract is placed after 1 February, 1999; or

(ii) in the absence of a contract, the construction work of which is begun after 1 August, 1999; or

(iii) which is completed after 1 February, 2002.

(2) Every oil tanker shall comply with the intact stability criteria specified in subparagraphs *(a)* and *(b)* of this paragraph, as appropriate for any operating draught under the worst possible conditions of cargo and ballast loading, consistent with good operational practice, including intermediate stages of liquid transfer operations under all conditions the ballast tanks shall be assumed slack-

(a) in port, the initial meta centric height GMo, corrected for free surface measure at 0 degrees heel, shall be not less than 0.15 m;

(b) at sea, the following criteria be applicable-

(i) the area under the righting lever curve (GZ curve) shall be not less than 0.055 m, rad up to theta = 30 degree angle of heel and not less than 0.09 m rad up to theta = 40 degrees or other angle of flooding theta f* if this angles is less than 40 degrees or other angle of the area under the righting lever curve (GZ curve) between 30 degrees, shall be not less than 0.03 m rad;

(ii) the righting lever GZ shall be at least 0.20 m at an angle of heel equal to or greater than 30 degrees;

(iii) the maximum righting arm shall occur at an angle of heel preferably exceeding 30 degrees but less than 25 degrees; and

(iv) the initial meta centric height GMo, connected for free surface measured at o degrees heel, shall be not less than 0.15 m.

(3) The requirements of paragraph (2) shall be met through design measures. For combination carriers simple supplementary operational procedures may be allowed.

(4) Simple supplementary operational procedures for liquid transfer operations referred to in paragraph (3) shall mean written procedures made available to the master which-

(i) are approved by the Administration;

(ii) indicate those cargo and ballast tanks which may, under any specific condition of liquid transfer and possible range of cargo densities, be slack; (iii) will still allow stability criteria to be met. The slack tanks not vary during the liquid transfer operations and be of any combination provided they satisfy the criteria;

(iv) provide for planned sequences of cargo ballast transfer operations;

(v) allow comparisons of attained and required stability using stability performance criteria in graphical or tabular form;

(vi) require no extensive mathematical by the officer-in-charge;

(vii) provide for corrective actions to be taken by the officer-in-charge in case of departure from recommended values and in case of emergency situations; and

(viii) are prominently displayed in the approved trim and stability booklet and at the cargo ballast transfer control station and in any computer software by which stability calculations are performed.

CHAPTER IV

PREVENTION OF POLLUTION ARISING FROM AN OIL POLLUTION INCIDENT

REGULATION 26

Shipboard Oil Pollution Emergency Plan

(1) Every oil tanker of 150 gross tonnages and every ship other than an oil tanker of 400 gross tonnage and above shall carry on beard a shipboard oil pollution emergency plan approved by the Administration. In the case of ships built before 4 April, 1993 this requirement shall apply 24 months after that date.

(2) Such a plan shall be in accordance with Guidelines* developed by the Organisation and written in the working language of the master and officers. The plan shall consist at least of-

(a) the procedure to be followed by the master or other persons having charge of the ship to report an oil pollution incident, as required **in** article 8 and Protocol I of the present Convention, based on the guidelines developed by the Organisation;**

(b) the list of authorities or persons to be contacted **in** the event of an pollution incident;

(c) a detailed description of the action to be taken immediately by person on board to reduce or control the discharge of oil following the incident; and

(d) the procedures and point of contact on the ship for coordinating shipboard action with national and local authorities in combating the pollution.

(3) **In** the case of ships to which regulation 16 of Annex 11 of the Convention also apply, such a plan may be combined with the shipboard pollution emergency plan for noxious liquid substance required under regulation 16 of Annex 11 of the Convention. In this case, the title of such a plan shall be "Shipboard marine pollution emergency plan".

APPENDICES TO ANNEX I

APPENDIX I

List of Oils *

ASPHALT SOLUTIONS

Blending stocks
Roofers Flux
Straight Run Residue

OILS

Clarified
Crude Oil
Mixtures containing crude oil
Diesel Oil
Fuel Oil No. 4

Fuel Oil No. 5
Fuel Oil No. 6
Residual Fuel Oil
Road Oil
Transformer Oil
Aromatic Oil (excluding Vegetable oil)
Lubricating Oil and Blending Stocks
Mineral Oil
Motor Oil
Penetrating Oil
Spindle Oil
Turbine Oil

DISTILLATES

Straight Run
Flashed Feed Stocks

GAS OIL

Cracked

GASOLINE BLENDING STOCKS

Alkylates-Fuel
Polymer-Fuel

GASOLINE

Aviation
Casing head (natural)
Straight Run
Fuel Oil No. 1(Kerosene)

Fuel Oil No. 1 -0
Fuel Oil No.2
Fuel Oil No.2 -D

Jet Fuels

JP-1 (Kerosene)
JP-3
JP-4
JP-5 (Kerosene, Heavy)
Turbo Fuel
Kerosene
Mineral Spirit

NAPHTHA

Solvent
Petroleum

APPENDIX II

Form of IOPP Certificate and Supplements to international Oil Pollution Prevention Certificate

(Note. This Certificate shall supplemented by a Record of Construction and Equipment)

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 relating thereto, and as amended by resolution MEPC.39(29), (hereinafter referred to as "the Convention") under the authority of the Government of-

……..

(Full designation of the country)

by ……

(Full designation of the competent person or organisation authorised under the provision of the Convention)

Particular of *ship**

Name of ship:

……..

Distinctive number or letter:

……..

Port registry:

……

Gross tonnage:

……

Deadweight of ship (metric tons)* *

……..

IMO Number***:

……..

Type of ship****:

Oil tanker

Ship other than an oil Tanker with cargo Tanks coming under regulation 2 (2) of Annex I of the Convention.

Ship other than any of the above.

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with regulation 4 of Annex I of the Convention.
2. That the survey shows that the structure, equipment, systems, fittings, arrangement and material of the ship and the condition thereof are in all respect satisfactory and the ship complies with applicable requirements of Annex I of the Convention.

This certificate is valid until .....*
Subject to in accordance with regulation 4 of Annex I of the Convention.
Issued at: ..... (Place of issue of certificate)

(Date of issue)

(Seal or stamp of the authority, as appropriate)

(Signature of authorised official issuing the certificate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that, at a survey requited by regulation 4 of Annex I of the Convention, the ship was found to comply with relevant provisions of the Convention:
Survey:

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the Authority, as appropriate)
Annual! Intermediate* survey:

Signed: .....
(Signature of authorised official)

Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)
Annual Survey:

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

ANNUAL/INTERMEDIATE SURVEY IN ACCORDANCE WITH REGULATION 8 (8) *(c)*

THIS IS TO CERTIFY that, at an annual/intermediate* survey in accordance with regulation 8 (8) *(c)* of Annex I of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR LESS THAN 5 YEARS WHERE REGULATIONS 8 (3) APPLIES

The ship complies with the relevant provision of the Convention, and this Certificate shall, in accordance with regulation 8 (3) of Annex I of the Convention, be accepted as valid until .

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND REGULATION 8 (4) APPLIES

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 8 (4) of Annex I of the Convention, be accepted as valid until: .

Annual survey:

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF SURVEY OR FOR PERIOD OF GRACE WHERE REGULATION 8 (5) OR 8 (6) APPLIES

This Certificate shall, in accordance with regulation 8 (5) or 8 (6)* of Annex I of the Convention, be accepted as valid unit .....

Signed: .....
(Signature of authorised official)

Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE WHERE REGULATION 8 (8) APPLIES

In accordance with regulation 8 (8) of Annex I of the Convention, the new anniversary date is

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)
In accordance with 8 (8) of Annex I of the Convention, the new anniversary date is .

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the Authority, as appropriate)

APPENDIX

FORM A
[Revised 1999]

SUPPLEMENT TO INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (IOPP CERTIFICATE)

Record of Construction and Equipmentfor Ships other than Oil Tankers

In respect of the provisions of Annex I of the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as "the Constitution").

Notes:

1. This form is to be used for the third type of ships as categorised in the IOPP Certificate, i.e. "ships other than any of the above". For oil tankers and ships other than oil tankers Cargo tanks coming under regulation 2(2) of Annex I of the Convention, Form B shall be used.
2. This Record permanently attached to the IOPP certificate shall be available on board the ship at all times.
3. If the language of the original Record is neither English nor French, the text shall include a translation into one of these languages.
4. Entries in boxes shall be made by inserting either a cross (x) for the answer "yes" and "applicable" or a dash (-) for the answer "no" and not applicable" as appropriate.
5. Regulations mentioned in this record refer to regulations of Annex I of the Convention and resolution refer to those adopted by the International Maritime Organisation.

1. Particulars of Ship
1.1 of Ship: ..... .
1.2 Number of letters: ..... .
1.3 Port of Registry: ..... .
1.4 Gross tonnage: ..... .
1.5 Date of build: ..... .
1.5.1 of building contract: ..... .
1.5.2 Date on which keel was laid or ship was at a similar stage of construction: .
1.5.3 Date of delivery: ..... .
1.6 Major conversion(if applicable) ..... .
1.6.1 Date of conversation contract: ..... .
1.6.2 Date of which conversation was commended: ..... .
1.6.3 Date of completion of conversation: ..... .
1.7 Status of ship: ..... .
1.7.1 New ship in accordance with regulation 1 (6) ..... .
1.7.2 Existing ship in accordance with regulation 1 (7) ..... .

1.7.3 The ship has been accepted by the Administration as an "existing ship" under regulation 1 (7) due to unforeseen delay in delivery.

1. EQUIPMENT FOR THE CONTROL OF OIL DISCHARGE FROM MACHINERY SPACE BILGES AND OIL FUEL TANKS (REGULATIONS 10 AND 16)

2.1 Carriage of ballast water in oil fuel tanks:
2.1.1 The ship may under normal conditions carry ballast water in oil fuel tanks.
2.2 Type of oil filtering equipment fitted:
2.2.1 Oil filtering (15 ppm) equipment(regulation 16 (4».

2.2.2 Oil filtering (15 ppm) equipment with alarm and automatic stopping device (regulation 16 (5. The ship is allowed to operate with existing equipment until 1998 (regulation 16 (6» and fitted with:

2.3 Approval standing*

2.4.1 The separating/filtering equipment:

1. has been unit in accordance with resolution A.393(X),
2. has been approved in accordance with Res. MEPC. 60(33),
3. has been approved in accordance with resolution A233(VII),
4. has been approved in accordance with national standards not based upon resolution A393(X) or A233(VII),
5. has not been approved.

2.4.2 The process unit has been approved in accordance with resolution A.444(XI).

2.4.3 The oil content meter:

1. has been approved in accordance with resolution A393(X)
2. has been approved in accordance with res MEPC.60(33)

2.5 Maximum throughput of the system is ..... m^3/h.

2.6 Waiver of regulation 16:

2.6.1 The requirements in accordance with 16 (1) and 16 (2) are waived in respect of the ship in accordance with regulation 16 (3) *(a).*

The ship is engaged exclusively on voyages within special area(s) ..... .

2.6.2 The ship is fitted holding tank(s) for the total retention on board of all oily bilge water as follows:

Tank identification	Tank location		Volume (m^3)
	Frames (from) - (to)	Lateral position	
			Total Volume ... (m^3)

MEANS FOR RETENTION AND DISPOSAL OF OIL, RESIDUE (SLUDGE) (REGULATION 17) AND BILGE WATER HOLDING TANKS

3.1 The ship is provided with oil residue (sludge) tanks as follows:

Tank identification	Tank location		Volume (m^3)
	Frames (from) - (to)	Lateral position	
			Total Volume ... (m^3)

3.2 Means for the disposal of residues in addition to the provision of sludge tanks:

3.2.1 Incinerator for oil residues, capacity ..... *l/h.*

3.2.2 Auxiliary boiler suitable for burning oil residues.

3.2.3 Tank for mixing oil residues with fuel oil, capacity .....(m³).

3.2.4 Other acceptable means .....

The ship is fitted with holding tank(s) for the Retention on board of oily bilge water as follows:

Tank identification	Tank location		Volume (m³)
	Frames (from) - (to)	Lateral position	
			Total Volume ... (m³)

4. Standard discharge connection (regulation 19)

4.1 The ship is provided with a pipeline for the discharge of residues from machinery bilges to reception facilities, fitted with a standard discharge connection in accordance with regulation 19

1. Shipboard oil pollution emergency plan (regulation 26)

5.1 The ship is provided with a shipboard oil pollution emergency plan in compliance with regulation 26

Exemption

6.1 Exemptions have been granted by the Administration from the requirements of Chapter 11 of Annex I of the Convention in accordance with regulation 2 (4) *(a)* on those items listed under paragraphts) ..... of this Record.

1. Equivalents (regulation 3)

7.1 Equivalents have been approved by the Administration for certain requirements of Annex I listed under paragraph(s) ..... of this Record.

THIS IS TO CERTIFY that this is correct in all respects

Issued at .....

FORM *A-continued*

(Place of issue of the Record)

(Signature of duly authorised official issuing the Report)

(Date of issue]

(Seal or stamp of the authority, as appropriate)

FORM B

[Revised 1999]

SUPPLEMENT TO THE INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (IOPP CERTIFICATE)

Record of Construction and Equipment/or Oil Tankers

Notes:

1. This form is to be used for the first two types of ships as categorised in the IOPP Certificate, i.e. "oil tankers" and "ships other than oil tanks with cargo tanks coming under regulation 2 (2) of Annex I of the Convention" for the third type of ships as categorised in the IOPP certificate, Form A shall be used.
2. This Record shall be permanently attached to the IOPP Certificate. The IOPP certificate shall be available on board the ship at all times.
3. If the language of the original Record is neither English nor French, the text shall in include translation into one of these languages.
4. Entry in boxes shall be made by inserting either a cross (X) for the answers "yes" and "applicable" or a dash (-) for the answers "no" and "not applicable" as appropriate.
5. Unless otherwise stated, regulations mentioned in this Record refer to regulations of Annex I of the Convention and resolutions refer to those adopted by the International Maritime Organisation.

In respect of the provisions of Annex I of the International Convention for the prevention of pollution from ships, 1973 relating thereto (hereinafter referred to as "the Convention").

1. *Particulars a/Ship*

1.1 Name of Ship .....

1.2 Distinctive number of letters .....

1.3 Port of Registry .....

1.4 Gross tonnage .....

1.5 Carrying capacity of ship ..... (m^3)

1.6 Deadweight of ship ..... (metric tones) (regulation 1 (22»

1.7 Length of ship ..... *(m)* (regulation 1 (18»

1.8 Date of build .....

Date of building contract .....

Date on which keel was laid or ship at a similar stage of construction .

Date of delivery .....

Major conversion (if applicable):

Date of conversion contract .....

Date of which conversion was commenced ....

Date of completion of conversion ....

Status of ship:

New ship in accordance with regulation 1 (6) ..... .
Existing ship in accordance with regulation 1(7) ..... .
New oil tanker in accordance with regulation 1 (26) ....
Existing oil tanker in accordance with regulation 1 (27) ..... .

The ship has been accepted by the Administration as an "existing ship" under regulation 1(27) due to unforeseen delay in delivery.

The ship has been acceptable by the Administration as an "existing oil tanker" under regulation 1 (27) due to unforeseen delay in delivery.

The ship is not required to comply with the provisions of regulation 24 due to unforeseen delay in delivery.

Type of ship:
Crude oil tanker
Product carrier
Product carrier not carrying fuel oil or heavy diesel oil as referred to in regulation [.. .].
Combination carrier

Ship, other than an oil tanker, with cargo tanks coming under regulation 2 (2) of Annex I ofthc Convention.
Oil tanker dedicated to the carriage of products in regulation 15 (7).

The ship, being designed as a "crude oil tanker" operating with COW; is also designated as a "product carrier", operating with CBT, for which a separate IOPP Certificate has also been issued.

The ship, being designed as a "product carrier" operating with CBT is also designated as a "crude oil tanker" operating with COW, for which a separate IOPP Certificate has also been issued.
Chemical tanker carrying oil

Equipment for the control of oil discharge from machinery space bilges and oil fuel tanks (regulations 10 and 16)
Carriage of ballast water in oil fuel tanks
The ship may under conditions carry ballast water in oil fuel tanks.
Type of oil filtering equipment fitted:

Oil filtering (15 ppm) equipment with the existing equipment until 6 July, 1998 (regulation 16 (4»
Oil filtering device (regulation 16 (5»

The ship is allowed to operate with the existing equipment until 6 July, 1998 (regulation 16 (6) and fitted with:

2.3.1 Oily-water separating (100 ppm) equipment
2.3.2 Oil filtering (15 ppm) equipment without alarm
2.3.3 Oil filtering (15 ppm) equipment with alarm and manual stopping device

*2.4 Approval standards:**

The separation/filtering system:

1. has been approved in accordance with resolution A.393(X),
2. has been approved in accordance with res. MEPC. 60 (33),
3. has been approved in accordance with resolution A. 233 (VII),

4. has been approved in accordance with national standards not based upon resolution A.393(X) or A.233(VII),
5. has not been approved.

2.4.1 The process unit has been approved in accordance with Resolution A.444 (xi).

2.4.2 The oil content meter:

1. has been approved in accordance with Resolution A.393 (x),
2. has been approved in accordance with resolution not based upon Resolution/MEPC. 60 (33)

2.5 Maximum throughput of the system is .....(m^3)/h.

2.6 Waiver of regulation 16:

2.6.1. The requirement of regulation 16 (1) and 16 (2) are waived of the ship in accordance with regulation 16 (3) *(a).* The ship is exclusively on voyages within special area(s): ....

2.6.2. The ship is fitted with holding tanks for the total retention on board of all oily bilge water as follows:

Tank identification	Tank location		Volume (m^3)
	Frames (from) - (to)	Lateral position	
			Total Volume ... (m^3)

2.6.3. In lieu of the holding tank(s) the ship is provided with arrangement to transfer bilge water to the slop tank.

3. Means for Retention and Disposal of Oil Residues (Sludge) (Regulation 17) *and Bilge Water Holding Tank(s)**

3.1 The ship is provided with oil residue (sludge tanks) as follows:

3.2 Means for the disposal of residues in addition to the provision of sludge tanks:

3.2.1 Incinerator for oil residue, capacity .....

3.2.3 Auxiliary boiler suitable oil residues .....

3.2.3 Tank for mixing oil residues with fuel oil, capacity .....

3.2.4 Other acceptable means .....

3.3

The ship is fitted with holding tank(s) for the retention on board of oil bilges water as follows:

Tank identification	Tank location		Volume (m³)
	Frames (from) - (to)	Lateral position	
			Total Volume ... (m³)

Standard discharge connection (Regulation 19)

4.1 The ship is provided with a pipeline for the discharge of re si dues from machinery bilge to reception facilities, fitted with a standard discharge connection in accordance with Regulation 19.

Construction (Regulations /3, 24 *and 25)*

5.1 In accordance with the requirements of regulation 13, the ship is:

5.1.1 required to be provided with SBT, PL and COW

5.1.2 required to be provided with SBT and PL

5.1.3 required to be provided with SBT

5.1.4 required to be provided with SBT and COW

5.1.5 required to be provided with SBT or CBT

5.1.6 not required to comply with requirement of regulation 13

5.2 segregated ballast tanks (SBT):

5.2.1 The ship is provided with SBT in compliance with regulation 13

5.2.2 The ship is provided with SBT in compliance with regulation 12, which are arranged in protective locations (PL) in compliance with regulation 13E

5.2.3 SBT are distributed as follows:

Tank	Volume (m³)	Tank	Volume (m³)
		Total Volume ... (m³)	

5.3.2

Dedicated clean ballast tanks (CBT)

The ship is provided with CBT in compliance with regulation 13A, and may operate as a product carrier

CBT are distributed as follows:

Tank	Volume (m³)	Tank	Volume (m³)
		Total Volume ... (m³)	

The ship has been supplied with a valid dedicated clean Ballast Tank Operation Manual which is dated .....

The ship has common piping and pumping arrangements for ballasting the CBT and handling cargo oil

5.3.4. The ship has separate independent piping and pumping arrangement for ballasting the CBT

5.4. Crude oil washing (COW).'

5.4. 1 The ship is equipped with a COW system in compliance with regulation 13B

5.4.2. The ship is equipped with a COW system in compliance with regulation 13B except that the effectiveness of the system has not been confirmed in accordance with regulation 13 (6) and paragraph 4.2.10 of the revised COW specification (resolution A.446(Xl))

5.4.3. The ship has been supplied with a valid crude oil washing operation and equipment manual, which is dated ..... .

5.4.4. The ship is not required to be but is equipped with COW specifications (resolution A. 446(XI)

5.5. Exemptionfrom regulation 13:

5.5.1. The ship is solely engaged in trade between .....in accordance with regulation 13C and is therefore exempted from the requirements of regulation 13.

5.5.2. The ship is operating with special ballast arrangements in accordance with regulation 130 and is therefore exempted from the requirements of regulation 13.

5.6. Limited of size and arrangement of cargo tanks (regulation 24).'

5.6.1. The ship required to be constructed according to, and compiles with, the requirements of regulation 24

5.6.2 The ship required to be constructed according to, and compiles with, the requirements of regulation 24 (4) *(see* regulation 2 (2»

5.7. Subdivision and stability (regulation 25):

5.7. 1 The ship required to be constructed according to, and compiles with the requirements of regulation 25

5.7.2. Information and data required under regulation 25 (5) have been supplied to the ship in an approved form.

5.7.3. Information and data required under regulation 25A for combination carriers have been supplied to the ship in a written procedure approved by the Administration.

5.8. Double hull construction

5.8.1 The is ship required according to regulation 13F and to compile with the requirement of:

1. paragraph (3) (double hull construction)
2. paragraph (4) (mid-height deck tanker with double side construction)
3. paragraph 950 (alternative method approved by the Marine Environment Protection Committee)

5.8.2. The ship is required to be constructed according to and in compliance with the requirements of regulation 13F (7) (double bottom requirements)

5.8.3. The ship is not required to comply with the requirements of regulation 13F

5.8.4. The ship is subject to regulation 13G and:

1. is required to comply with regulation J 3F not later than ..... .
2. is so arranged that the following tanks or spaces are not used for the carriage of oil .....
3. has been accepted in accordance with regulation 13G (74) and resolution MEPC 64(36) .....
4. is provided with operational manual approved in accordance with resolution MEPC. 64 (36)

The ship is not subject to regulation 13G

Retention of oil on board (regulation 15)

Oil discharge monitoring and control system:

The ship comes under category .... oil tanker as defined in resolution A.496(XII) or A.586(14) (delete as appropriate)

The system comprises

1. control unit,
2. computing unit,
3. calculating unit.

The system is:

1. fitted with a starting interlock,
2. fitted with automatic stoppage device.

The oil content meter is approved under the terms of resolution A 393(X) or A 586(14)** (delete as appropriate) suitable for:

1. crude oil,
2. black products,
3. white products,
4. oil-like noxious liquid substances as listed in the attachment to the certificate.

The ship has been supplied with an operation manual for the oil discharge monitoring and control system.

Slop tanks:

The ship is provided with dedicated slop tank(s) with the total capacity of .... m^3, which is % of the oil carrying capacity, in accordance with:

1. regulation 15 (2) *(c),*
2. regulation 15 (2) *(c)* (i),
3. regulation 15 (2) *(c)* (ii),
1. regulation 15 (2) *(c)* (iii).

Cargo tanks have been designated as slop tanks

Oil/water interface detectors:

The ship is provided with oil/water interface detectors approved under the terms of resolution MPEC.5 (XIII)*

Exemption from regulation 15

The ship is exempted from the requirements of regulation 15 (1), (2) and (3) in accordance with regulation 15 (7)

The ship is exempted from the requirements of regulation 15 (1), (2) and (3) in accordance with regulation 2 (2)

Waiver of regulation 15

the requirements of regulation 15 (3) are waived in respect of the ship in accordance with regulation 15 (5) *(b).* The ship is engaged exclusively on:

1. specific trade under regulation 13C: .....

FORM *B-continued*

1. voyages within special area(s): .....
2. voyages within 50 miles of the nearest land outside special area(s) of 72 hours or less in duration restricted to: ..... .

7. Pumping, piping and discharge arrangements (regulation 18):

7.1. The overboard discharge outlets for segregated ballast are located:

7.1.1 above the waterline,

7.1.2 below the waterline,

7.2 The overboard discharge outlet, other than the discharge manifold for clean ballast are located:*

7.2.1 above the waterline,

7.2.2 below the waterline.

7.3 The overboard discharge outlets, other than the discharge manifold for dirty ballast water or oil-contaminated water from cargo tank:

7.3.1 above the waterline,

7.3.2 below the waterline in conjunction with the part flow arrangements in compliance with regulation 18 (6) *(e),*

7.3.3 below the water line.

7.4 Discharge of oil from cargo pump and oil lines (regulation 18 (4) *and (5)):*

7.4.1 Means to drain all cargo pumps and oil lines at the completion of cargo discharge:

1. draining capable of being discharged to a cargo tank or slop tank,
2. for discharge ashore a special small-diameter line is provided.

8. Shipboard oil pollution emergency plan (regulation 26)

8.1 The ship is provided with a shipboard oil pollution emergency plan in compliance with regulation 26

1. Equivalent arrangement for chemical tankers carrying oil

9.1 As equivalent arrangement for the carriage of oil by a chemical tanker the ship is fitted with the following equipment in lieu of slop tank (paragraph 6.2 above) and oil/water interface detection (paragraph 6.3 above):

9.1.1 Oily-water separating equipment capable of producing effluent with oil content less than 100 ppm, with the capacity m^3/h

9.1.2 A holding tank with the capacity of ..... .

9. I.3 A tank for collecting tank washings which is:

1. a dedicated tank,
2. a cargo tank designated as a collecting tank.

9.1.4 A permanently installed transfer pump for overboard discharge of effluent containing oil through the oil-water separating equipment.

9.2 The oily-water separating equipment has been approved under the terms of resolution A393(X)* and is suitable for the full range of Annex [product.

9.3 The ship holds a valid Certificate of Fitness for the Carriage of Dangerous Chemical in Bulk.

1. Oil-like noxious liquid substances

10.1 The ship is permitted, in accordance with regulation **14** of Annex **II** of the Convention, to carry the oil-like noxious liquid substances specific in the list** attached.

Exemption

Exemptions have been granted by the Administration from the requirements of Chapters II and III of Annexure I of the Convention in accordance with regulation 2 (4) *(a)* on the those items listed under paragraph(s) .....of this Record

Equivalents (regulation 3)

Equivalents have been approved by the Administration for certain requirements of Annex I on these items listed under paragraph(s) .....of this Record

THIS IS TO CERTIFY that this Record is correct in all respects

Issued at: ..... .

(Place of issue of the Record)

(Signature ofduly authorised officer issuing the Record)

(Seal or stamp of the issuing authority, as appropriate)

APPENDIX III

FORM OF OIL RECORD BOOK

Oil Record Book

1. FOR OIL TANKERS

Name of ship:

Distinctive number of letters:

Total cargo carrying capacity of ship:

Voyage from .....(date) to ..... (date)

Loading of oil cargo:

1. Date and place of loading
2. Types of oil loaded
3. Identity oftank(s) loaded
4. Closing of applicable line cut-off valves on completion of loading**

The undersigned certifies that in addition to the above, all sea valves' overboard discharge valves, cargo tank and pipeline connections and inter-connections, were secured on completion of loading oil cargo.

Date of entry: ..... .

Officer in charge: ..... .

Master

5.Date of internal transfer.

1. Identity of tank(s) (i) from
   (ii) to

1. Was (were) tank(s) in 6 (1) emptied?

   The undersigned certifies that in addition to the above, all sea valves, overboard discharge valves, cargo tank and pipeline connections and inter-connections, were secured on completion of internal transfer of oil cargo.

   Date of entry .....

   ....Officer in Charge

   Master

1. Date and place of unloading
2. Identity oftank(s) unloaded

10. Was (were) tank(s) emptied?

3. Opening of applicable cargo tank valves and applicable line cut-off valves prior to cargo unloading
4. Closing of applicable cargo tank valves and applicable line cut-off valves on completion of unloading*

   The undersigned certifies that in addition to the above, all sea valves, overboard discharge valves, cargo tank and pipeline connections and inter-connections, were secured on completion of unloading of oil cargo.

   Date of entry .....

   ....Officer in Charge

   Master

1. Identity of tank(s) ballasted
2. Date and position of ship at start of ballasting
3. If valves connecting cargo lines and segregated ballast lines were used give time, date and position of ship when valves were *(a)* opened, and *(b)* closed.

   The undersigned certifies that in addition to the above, all sea valves' overboard discharge valves, cargo tank and pipeline connections and inter-connections, were secured on completion of ballasting.

   Date of entry .....

   .. ..Officer in Charge

   Master

Cleaning of cargo tanks:

1. Identity of tank(s) cleaned
2. Date and duration of cleaning
3. Method of cleaning*

   Date of entry .....

   Officer in Charge

   Master

1. Identity oftank(s)
2. Date and position of ship at start of discharge to sea

1. Date and position of ship at finish of discharge to sea
2. Ship's speed(s) during discharge
3. Quantity discharged to sea
4. Quality of polluted water transferred to slop tank(s)
5. Date and port of discharge into shore reception facilities (if applicable)
6. Was any part of the discharge conducted during darkness, if so for how long?
7. Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?
8. Was any oil observed on the surface of the water in the locality of the discharge?

Date of entry ..... .

. ..... Officer in Charge

Master

Discharge of water from slop tank:

1. Identity of slop tank(s)
2. Time of setting from last entry of residues, or
3. Time of setting from last discharge
4. Date, time and position of ship at start of discharge
5. Sounding of total contents at start of discharge
6. Sounding of oil/water interface at start of discharge
7. Bulk quantity discharged and rate of discharge
8. Final quantity discharged and rate of discharged
9. Date, time and position of ship at end of discharge
10. Ship's speed(s) during discharge
11. Sounding of oil/water interface at the end of discharge
12. Was any part ofthe discharge conducted during darkness, if so, for how long?
13. Was a regular check kept on the effluent and the surface of the water and the locality of the discharge?
14. Was any oil observed on-the surface of the water in the locality of the discharge?

Date of entry ..... .

..... Officer in Charge

Master

Disposal of Residues

1. Identity oftank(s)
2. Quantity disposed from each tank
3. Method of disposal of residue:
   (a) reception facilities
   (b) mixed with cargo,
   (c) transferred to another (other) tank(s) (identity tank(s)
   (d) other method (state which)

1. Date and port of disposal of residue

Date of entry .....

....Officer in Charge

Master

Discharge of clean ballast contained in cargo tanks:

1. Date and position of ship at commencement of discharge of clean ballast
2. Identity oftank(s) discharged
3. Was (were) the tank(s) empty on completion?
4. Position of vessel on completion if different from 47
5. Was any part of the discharge conducted in darkness, ifso how long?
6. Was any regular check kept on the effluent and the surface of the water in the locality of the discharge?
1. Was any oil observed on the surface of the water in the locality of the discharge?
2. Port
3. Duration of stay
4. Quantity disposed
5. Date and place of disposal,
6. Method of disposal (state whether a separator was used)

Date of entry .....Officer in Charge

Master

1. Date and time of occurrence
2. Place or position of ship at time of occurrence
3. Approximate quantity and type of oil
4. Circumstances of discharge or escaped, the reasons

General remark

Date of entry .....

....Officer in Charge

Master

(1) Has the oil monitoring and control system been out of operation at any time when discharging overboard? If so, give time and date of failure and time and date of restoration and confirm that this was due to equipment failure and state reason if known.

Date of entry .....

....Officer in Charge

Master

Additional operational procedures and general remarks

For oil tankers of less than 150 tons gross tonnage operating in accordance with regulation 15 (4) of Annex I of the Convention, an appropriate oil record book should be developed by the Administration.

For asphalt carriers, a separate oil record book may be developed by the Administration utilising sections *(a), (b), (c), (e), (h), (j), (k)* and *(m)* of this form of oil record book.

FOR SHIPS OTHER THAN OIL TANKERS

Name of Ship Operation from .....(date)

to .....(date)

(a) Ballasting or clearing of oil fuel tanks

A. Identity oftank(s) ballasted

1. Whether cleaned since they last contained oil and, if not, type of oil previously carried.
2. Date and position of ship at start of cleaning
3. Date and position of ship at start of ballasting

Where the pump starts automatically and discharges through a separator at all times it will be sufficient to enter each day "Automatic discharge from bilges through a separator".
Date of entry ..... .

.... Officer in Charge
Master

(b) Discharge of dirty ballast or cleaning water from tanks referred to under section (a)

1. Identity of tank(s)
2. Date and position of ship at start of discharge
3. Date and position of ship at finish of discharge
4. Ship's speed(s) during discharge
5. Method of discharge (state whether to reception facility or through installed equipment) mixed with next bunkering
6. Quantity discharged

Date of entry ..... .

.... Officer in Charge
Master

(c) Disposals of re si dues

1. Quantity of residue retained on board
2. Method of disposal residue-
   (a) reception facilities;
   (b) mixed with next bunkering;
   (c) other method (state which).
1. Date and port of disposal of residues

Date of entry ..... .

..... Officer in Charge
Master

*(d) Discharge overboard of bilge water containing oil which has accumulated in machinery spaces whilst in port **

1. Port
2. Duration of stay
3. Quantity discharged
4. Date and place of discharge

Method of discharge:
(a) through oily-water separating equipment;
(b) through oil filtering system;
(c) through oily-water separating and an oil filtering system;
(d) to reception facilities.

Date of entry .....Officer in Charge
Master

(e) Accidental or other exceptional discharges of oil

1. Date and time of occurrence
2. Place or position of ship at time of occurrence
3. Approximate quantity and type of oil
4. Circumstances of discharge or escape the reasons therefore and general remarks

Date of entry .....

. .....Officer in Charge

Master

(f) Has the required oil monitoring and control system been out of operation at any time when discharging overboard? If so, state time and date of failure and time and date of restoration,
and confirm that this was due to equipment failure, and state reason if known.

Date of entry .....

....Officer in Charge

Master

(g) New ships of 4,000 tons gloss tonnage and above: has dirty ballast been carried in oil fuel tanks?

YeslNo

If so, which tanks were so ballasted and method of discharge of the dirty ballast

Date of entry .....

.. ..Officer in Charge

Master

(h) Additional operational procedures and general remarks

Date of entry .....

....Officer in Charge

Master

Where the pump starts automatically and discharges through a separator at all times it will be sufficient to enter each day "Automatic discharge from bilges through a separator. "

ANNEX II

REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

REGULATION 1

Definitions

For the purpose of this Annex-

(1) "Chemical tanker" means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an "oil tanker" as defined in Annex I of the present convention when carrying a cargo or part cargo of noxious liquid substances in bulk.

(2) "Clean ballast" means ballast carried in a tank which, since it was last used to carry a cargo containing a substance in category A, B, or C has been thoroughly cleaned and the

residues resulting there from have been discharged and the tank emptied in accordance with the appropriate requirements of this Annex.

(3) "Segregated ballast" means ballast water introduced into a tank permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious liquid substances as variously defined in the Annexes of the present convention, and which is completely separated from the cargo and oil fuel system.

(4) "Nearest land" is as defined in regulation 1 (9) of Annex I of the present Convention.

(5) "Liquid substances" are those having a vapour pressure not exceeding 2.8kp/cm^2 at a temperature of 37 .8°C.

(6) "Noxious liquid substance" means any substance referred to in Appendix to this Annex or provisionally assessed under the provisions of regulation 3 (4) as falling into category A, B, C, or D.

(7) "Special area" means a sea area where for recognised technical reasons in relation to its oceanographic and ecological condition and to its peculiar transportation traffic the adoption of special mandatory methods for the prevention of sea pollution by noxious liquid substances is required. Special areas shall be-

(a) the Baltic Sea Area; and

(b) the Black Sea Area; and

(c) the Antarctic Area.

REGULATION 2

Application

(1) Unless expressly otherwise the provisions of this Annex apply to all ships carrying noxious liquid substances in bulk.

(2) Where a cargo space of a chemical tanker, the appropriate requirements of Annex I ofthe present Convention shall also apply.

(3) Regulation 13 of this Annex shall apply only to ships substances which are categorised for discharge control purposes in category A, B or C.

(4) For ships constructed before 1 July, 1986, the provisions of regulation 5 of this Annex in respect of the requirement to discharge below the waterline and maximum concentration in the wake astern of the ship shall apply as from 1 January, 1988.

(5) The Administration may allow any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by this Annex if such fitting, material, appliance or apparatus is at least as effective as that required by this Annex. This authority of the

Administration shall not extend to the substitution of operational methods to effect the control of discharge of noxious liquid substances as equivalent to those design and construction features which are prescribed by Regulations in this Annex.

(6) The Administration which allows a fitting material, appliance or apparatus as alternative to that required by this Annex, under paragraph (5) of this regulation, shall communicate to the Organisation for circulation to the Parties to the Convention, particulars thereof; for their information and appropriate action, if any.

(7) (a) Where an amendment to this Annex and the International Bulk Chemical and involves changes to the structure or equipment and fittings due to the upgrading of the require-

ments for the carriage of certain substances, the Administration may modify or delay for a specified period the application of such an amendment to ships constructed before application of such an amendment is considered unreasonable or impracticable. Such relaxation shall be determined with respect to each substance, having regard to the guidelines developed by the Organisation. *

(b) The Administration allowing a relaxation of the application of an amendment under this paragraph shall submit to the Organisation a report giving details of the ship or ship(s) concerned, the cargoes carried, the trade.

REGULATION 3

Categorisation and Listing of Noxious Liquid Substances

(1) For the purpose of the regulations of this Annex, noxious liquid substances shall be divided into four categories as follows-

(a) Category A - noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate use of the sea and therefore justify the application of stringent anti-pollution measures;

(b) Category B - noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate use of the sea and therefore justify the application of special anti-pollution measures;

(c) Category C - noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate use of the sea and therefore require special operational conditions;

(d) Category D –

noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate use of the sea and therefore require some attention in operational conditions.

(2) Guidelines, for use in the categorisation of noxious liquid substances are given in Appendix 1 to this Annex.

(3) Noxious liquid substance carried in bulk which are presently categorised as category liquid substances A, B, C and D and subject to the provision of this Annex are referred to in Appendix II to this Annex (4) where it proposed to carry a liquid substance in bulk which has not been categorised under paragraph (1) of this regulation or evaluated or as referred to in regulation 4 (1) of this Annex, the Governments of Parties to the Convention involved in the proposed operation shall establish and agree on a provisional assessment for the proposed operation on the basis of the guidelines referred to in paragraph (2) of this regulation. Until full agreement between the Governments involved has been reached, the substance shall be carried under the most severe conditions proposed. As soon as possible, but not later than ninety days after its first carriage, the Administration concerned shall notify the Organisation

and provide details of the substance and the provisional assessment for prompt circulation to all Parties for their information and consideration. The Government of each Party shall have a period of ninety days in which to forward its comments to the Organisation with a view to the assessment of the substance.

REGULATION 4

Other Liquid Substances

(1) The substances referred to in Appendix III to this Annex have been evaluated and found to fall outside category A, B, C and D, as regulation 3 (1) of this Annex because they are at present considered to present no harm to human health, marine resources, amenities or other legitimate use of the sea, when discharged into the sea from tank cleaning or deballasting operation.

(2) The discharge of bilge or ballast water or other residues or mixtures containing only substances referred to in Appendix III to this Annex shall not be subject to any requirement of this Annex.

(3) The discharge into the sea of a clean ballast or segregated ballast not be subject to any requirement of this Annex.

REGULATION 5

Discharge of Noxious Liquid Substance
Categories A, Band C *Substances outside Special Areas and*
Category D *Substance in all Areas*

Subject to the provisions of paragraph (14) of this regulation 6 of this Annex,

(1) The discharge into the sea of substances in category A as defined in regulation 3 (1) *(a)* of this Annex or those provisionally assessed as such or ballast water, tank washing or other residues or mixtures containing such substances shall be prohibited. If tanks containing such substance or mixtures are to be washed, the resulting residues shall be discharged to a reception facility until the concentration of the substance in the effiuent to such facility is at or below 0.1 % by weight and until the tank is empty, with the exception of phosphorus, yellow, or white for which the residual concentration shall be at 0.0 1 % by weight. Any water subsequently added to the tank may be discharged into the sea when all the following conditions are satisfied-

(a) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(b) the discharge is made below the waterline, taking into account the location of the sea water intake; and

(c) the discharge is made at a distance of not less than 12 nautical miles from the nearest-land and a depth of water of not less than 25 metres.

(2) The discharge into the sea of substances in Category B as defined in regulation 3 (1) *(b)* of this Annex or of those provisionally assessed as such, or ballast water, tank washing, or other residues or mixtures containing such substances shall be prohibited except when all following conditions are satisfied-

(a) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(b) the procedures and arrangements for discharge are approved by the Administration. Such procedure and arrangements shall be based upon standards developed by the Organisation and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 10 parts per million;

(c) the maximum quantity of cargo discharge from each tank and its associated piping system does not exceed the maximum quantity approved in accordance with the procedures referred to in subparagraph *(b)* of this paragraph, which shall in no case exceed the greater of3 cubic metres or 111 ,000 of tank capacity in cubic metres;

(d) the discharge is made below the waterline, taking into account the location of the seawater intake; and

(e) the discharge is made at a distance of not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

(3) The discharge into the sea of substances in Category C as defined in regulation 3 (1) (*c)* of this Annex or of those provisionally assessed as such, or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied-

(a) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(b) the procedures and arrangements for discharge are approved by the Administration. Such procedures and arrangements shall be based upon standards developed by the Organisation and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 10 part per million;

(c) the maximum quantity of cargo discharge from each tank and its associated piping system does not exceed the maximum quantity approved in accordance with the procedures referred to in subparagraph *(b)* of this paragraph, which shall in no case exceed the greater of3 cubic metres or 111,000 of tank capacity in cubic metres;

(d) the discharge is made below the waterline, taking into account the location of seawater intakes; and

(e) the discharge is made at a distance of not less 12 than nautical miles from the nearest laud and in a depth of water of not less than 25 metres.

(4) The discharge into the sea of substance in Category D as defined in regulation 3 (1) *(d)* of this Annex, or of those provisionally assessed as such, or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied-

(a) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(b) such mixtures are ofa concentration not greater than one part of the substance in ten parts of water; and

(c) the discharge is made at a distance of not less than 12 nautical miles from the nearest land.

(5) Ventilation procedures approved by the administration may be used to remove cargo residues from a tank. Such procedures shall be based upon standards developed by the Organisation. Any water subsequently introduced into the tank shall be regarded as clean and shall not be subject to paragraph (1) (2), (3) or (4) of this regulation.

(6) The discharge into the sea of substance which have not been categorised, provisionally assessed, or evaluated as referred to in regulation 4 (1) of this Annex, or of ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited.

CATEGORIES A, Band C *Substances within Special Areas*

Subject to the provision of paragraph (14) of this regulation and regulation 6 of this Annex:

(7) The discharge into the sea of substances in Category A as defined in regulation 3 (1) *(a)* of this Annex or of those provisionally assessed as such, or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited. If tanks containing mixtures are to be washed, the resulting residues shall provide in accordance with regulation 7 of this Annex, until the concentration of the substance in the effluent to such facility is at or below 0.05% by weight and until the tank is empty with the exception of ph osphorus, yellow or white for which the residual concentration shall be 0.005% by weight. Any water subsequently added to the tank may be discharged into sea when all the following conditions are satisfied-

(a) the tank has been pre-washed in accordance with the procedure approved by the Administration and based on standards developed by the Organisation and the resulting tank washings have been discharged to a reception facility;

(b) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(c) the procedures and arrangements for discharge and washing are approved by the Administration. Such procedures and arrangements shall be based upon standards developed by the Organisation and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 1 part per million;

(d) the discharge is made below the waterline, taking into account the location of the sea water intakes; and

(e) the discharge is made at a distance of not less than 12 nautical miles from the nearest land and in a depth of water not less than 25 metres.

(9) The discharge into the sea of substances in category C as defined in regulation 3 (1) *(c)* of this Annex or of those provisionally assessed as such, or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied-

(a) the ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

(b) the procedures and arrangements for discharge are approved by the Administration. Such procedures and arrangements shall be based upon standard developed by the Organisation and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 1 part per million;

(c) the maximum quantity of cargo discharge from each tank and its associated piping system does not exceed the maximum quantity approved in accordance with the procedures referred to in sub paragraph *(b)* of this paragraph which shall in no case exceed the greater of 1 cubic metre or 1/3,000 of the tank capacity in cubic metres;

(d) the discharge is made below the waterline, taking into account the location of the seawater intakes; and

(e) the discharge is made at a distance of not less than 12 nautical miles from the nearest land in a depth of water of not less than 25 metres.

(10) Ventilation procedures approved by the Administration may be used to remove cargo, residues from a tank. Such procedures shall be based upon standard developed by the Organisation. Any water subsequently introduced into the tank shall be regarded as clean and shall not be subject to paragraph (7), (8) or (9) ofthis regulation.

(11) The discharge into the sea of substances which have not been categorised, provisionally assessed or evaluated as referred to in regulation 4 (1) of this Annex, or of ballast water, tank washings, or other residues or mixtures containing such substance shall be prohibited.

(12) Nothing in this regulation shall prohibit a ship from retaining on board the residues from a Category B or C cargo and discharging such residues into the sea outside a special area in accordance with paragraph (2) or (3) of this regulation, respectively.

(13) (a) The Governments of Parties to the Convention, the coastlines of which border on any given special area, shall collectively agree and establish a date by which time the requirement of regulation 7 (1) of this Annex will be fulfilled and from which the requirements of paragraphs (7), (8), (9) and (10) of this regulation in respect of that area shall take effect and notify the Organisation of the date so established at least six months in advance of that date. The Organisation shall then promptly notify all Parties of that date.

(b) lfthe date of entry into force of the present convention is earlier than the date established in accordance with subparagraph *(a)* of this paragraph, the requirements of paragraphs (1), (2) and (3) of this regulation shall apply during the interim period.

(14) In respect of the Antarctic are any discharge into the sea of noxious liquid substance or mixtures containing such substances shall be prohibited.

REGULATION 5

Pumping, Piping and Unloading Arrangement

(1) Every ship constructed on or after July, 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that

each tank designated for the carriage of Category B substance does not retain a quantity of residue in excess of 0.1 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(2) (a) Subject to the provisions of subparagraph *(b)* of this paragraph, every ship constructed before 1 July, 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a category B substance does not retain a quantity of residue in excess of 0.3 cubic metres in the tank's suction point.

(b) Until 2 October, 1994 ships referred to in subparagraph *(a)* of this paragraph if not in compliance with the requirements of that subparagraph shall, as a minimum, be provided with pumping and piping arrangement to ensure, through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category B substances does not retain a quantity of residue in excess of 1 cubic metres or *1/3,000* of the tank's capacity in cubic metres, which ever is greater, in that tank and associated piping.

(3) Every ship constructed on or after 1 July, 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of C substance does not retain a quantity of residue in excess of 0.3 cubic metres in the associated piping and in the capacity in cubic metres, whichever is greater in that tank immediate vicinity of that tanks suction point.

(4) (a) Subject to the provisions of sub paragraph *(b)* of this paragraph, every ship constructed before 1 July, 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a Category C substance does not retain a quantity of residue in excess of 0.9 cubic metres in the tank's associated piping and in the immediate vicinity of tank's suction point.

(b) Until October, 1994 ship referred to in subparagraph *(a)* of this paragraph if not in compliance with the requirements of that subparagraph shall as a minimum, be provided with pumping and piping arrangement to ensure through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category C substances does not retain a quantity of residue in excess of 3 cubic metres 1/ 1,000 of the tank capacity in cubic metres, whichever is greater, in that tank and the associated piping.

(5) Pumping conditions referred to in paragraphs (1), (2), (3) and (4) of this regulation, shall be approved by the Administration and based on standards developed by the Organisation. Pumping efficiency tests referred to in paragraphs (1), (2), (3) and (4) of this regulation shall use water as the test medium and shall be approved by the Administration and based on standards developed by the Organisation. The residues on cargo tank surfaces referred to in paragraphs (2) *(b)* and (4) *(b)* of this regulation shall be determined based on standard developed by the Organisation.

(6) *(a)* Subject to the provision of subparagraph *(b)* of this paragraph, the provisions of paragraphs (2) and (4) of this regulation need not apply to a ship constructed before 1 July, 1986 which is engaged in restricted voyages as determined by the Administration between-

(i) ports or terminals within a State to the present Convention; or

(ii) parts or terminals of State Parties to the present Convention.

(b) (i) The provisions of subparagraph *(a)* of this paragraph shall only apply to a ship constructed before 1 July 1986 if the tank is washed in accordance with a pre-wash procedure

approved by the Administration and base on standards developed by the Organisation and the tank washings are discharges to a reception facility;

(ii) subsequent washings or ballast water are discharged to a reception facility or sea in accordance with other provisions of this Annex;

(iii) the adequacy of the reception facilities at the ports or terminals referred to above, for the purpose of this paragraph, is approved by the Governments of the States parties to the present Convention within which such ports or terminals are situated;

(iv) in the case of ships engaged in voyages to ports or terminals under the jurisdiction of other States parties to the present convention, the Administration communicates to the Organisation, for circulations to the parties to the Convention, particulars of the exemption, for their information, appropriation and action of any; and

(v) the certificate required under this Annex is endorsed to the effect that the ship is solely engaged in such restricted voyages.

(7) For a ship whose constructional and operational features are such that ballasting of cargo tanks is not required and cargo tank washing is only required for repair or dry docking, the Administration may allow exemption from the provisions of paragraphs (1), (2), (3) and (4) of this regulation, provided that all the following conditions are complied with-

(a) the design, construction and equipment of the ship are approved by the Administration, having regard to the service for which it is intended;

(b) any effluent from tank washings which may be carried out before repair or dry docking is discharged to a reception facility, the adequacy of which is ascertained by the Administration;

(c) the certificate required under this Annex indicates-

(i) that each cargo tank is certified for the carriage of only on named substance;

(ii) the particulars of the exemption-

(a) the ship carries a suitable operational manual approval by the Administration; and

(b) in the case of ship engaged in voyage to ports or terminals under the jurisdiction of other States Parties to the present convention, the Administration communicates to the Organisation for circulation to the Parties to the Convention, particulars of the exception, for their information and appropriate action, ifany.

REGULATION 6

Exceptions

Regulation 5 of this Annex shall not apply to -

(a) the discharge into the sea of noxious liquid substances or mixtures containing such substance necessary for purpose of securing the safety of a ship or saving life at sea; or

(b) the discharge into the sea of noxious liquid substances or mixtures containing such substance resulting from damage to a ship or its equipment-

(i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery for the purpose of preventing or minimising the discharge; and

(ii) except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or

(c) the discharge into the sea of noxious liquid substances or mixtures containing such substances approval by the Administration, when being used for the purpose of combating specific pollution incidents in order to minimise the damage from pollution. Any such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will occur.

REGULATION 7

Reception Facilities and Cargo Unloading Terminal Arrangements

(1) The Government of each Party to the Convention undertakes to ensure the provision of reception facilities according to the needs of ship using its ports, terminals or repair ports as follows-

(a) cargo loading and unloading ports and terminals shall have facilities adequate for reception without undue delay to ships of such residues and mixtures containing noxious liquid substance as would remain for disposal from ships carrying them as a consequence of re si dues of the application of this Annex; and

(b) ship repair port undertaking repairs to chemical tankers shall have facilities adequate for the reception of residues and mixtures containing noxious liquid substances.

(2) The Government of each Party shall determine the types of facilities provided for the purpose of paragraph (1) of this regulation at each cargo loading and unloading port, terminal and ship repair port in its territories and notify the Organisation thereof.

(3) The Government of each Party to the Convention shall undertake to ensure that cargo unloading terminals shall provide arrangements to facilitate stripping of cargo tanks of ship unloading noxious liquid substances at these terminals. Cargo hoses and piping systems of the terminal, containing noxious liquid substances received from ship unloading these substances at the terminal, shall not be drained back to the ship.

(4) Each Party shall notify the Organisation, for transmission to the parties concerned, of any case where facilities required under paragraph (1) or arrangements required under paragraph (3) of this regulation are alleged to inadequate.

REGULATION 8

Measures of Control

(1) (a) The Government of each Party to the Convention shall appoint or authorise surveyors for the purpose of implementing this regulation. The surveyors shall execute control in accordance with control procedures developed by the Organisation.

(b) The master of a ship carrying noxious liquid substances in bulk shall ensure that the provisions of regulation 5 and this regulation have been complied with and that the cargo

record book is completed in accordance with regulation 9 of this Annex whenever operations as referred to in that regulation take place.

(c) An exemption referred to in paragraph (2) *(b),* (5) *(b),* (6) *(c)* or (7) *(c)* of this regulation may only be granted by the Government of the receiving Party to a ship engaged in voyages to ports or terminals under the jurisdiction of other State Parties to the present Convention. When such an exemption has been granted, the appropriate entry made in the cargo record book shall be endorsed by the surveyor referred to in subparagraph *(a)* of this paragraph.

Category A substances in all areas

(2) With respect to Category A substances the following provisions shall apply in all areas-

(a) a tank which has been unloaded shall, subject to the provisions of subparagraph *(b)* of this paragraph, be washed in accordance with the requirements of paragraph (3) or (4) of this regulation before the ship leaves the port of unloading;

(b) at the request of the ship's master, the Government of the receiving Party may exempt the ship from the requirements referred to in subparagraph *(a)* of this paragraph, where it is satisfy that-

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the provisions of paragraph (3) or (4) of this regulation are complied with at another port provided that it has been confirmed in writing that a reception facility at that port is available and is adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the Administration and based on standards developed by the Organisation.

(3) If the tank is to be washed in accordance with subparagraph (2) *(a)* of this regulation, the effluent from the tank washing operation shall be discharged to a reception facility at least until the concentration of the substance in the discharge as indicated by analyses of samples of the effluent taken by the surveyor, has fallen to the concentration specified in regulation 5 (1) or 5 (7), as applicable, of this Annex. When the required concentration has been achieved, remaining tank washing shall continue to be discharged to the reception facility until the tank is empty. Appropriate entries of these operations shall be made in the cargo record book and endorsed by the surveyor referred to under paragraph (1) *(a)* of this regulation.

(4) Where the Government of the receiving Party is satisfied that it is impracticable to measure the concentration of the substance in the effluent without causing undue delay to the ship, that Party may accept an alternative procedure as being equivalent to paragraph (3) of this regulation; provided that-

(a) the tank is pre-washed in accordance with a procedure approved by the Administration and based on standards developed by the Organisation; and

(b) the surveyor referred to under paragraph (1) *(a)* certifies in the cargo record book that-

(i) the tank, its pump and piping systems have been emptied; and

(ii) the pre-wash has been carried out in accordance with the pre-wash procedure approved by the Administration for that tank and that substance; and

(iii) the tank washings resulting from such pre-wash have been discharged to a reception facility and the tank is empty.

Category Band C *substances outside special areas*

(5) With respect to Category B and C substances, the following provisions shall apply outside special areas-

(a) a tank which has been unloaded shall, subject to the provisions of subparagraph *(b)* of this paragraph, be pre-washed before the ship leaves the port of unloading, whenever;

the substance unloaded is identified in the standards developed by the Organisation as resulting in a residue quantity exceeding the maximum quantity which may be discharged into the sea under regulation 5 (2) or (3) or this Annex in case of Category B or C substances respectively; or

the unloading is not carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organisation as referred to under Regulation 5A (5) of this Annex, unless alternative measures are taken to the satisfaction of surveyors referred to in paragraph (1) *(a)* of this regulation, to remove the cargo residues from the ship to quantities specified in regulation 5A of this Annex as applicable,

the pre-wash procedure used shall be approved by the Administration and based on standard developed by the Organisation and the resulting tank washings shall be discharged to a reception facility at the port of unloading;

(c) at the request of the ship's master, the Government of the receiving Party may exempt the ship from the requirements of subparagraph *(a)* of this paragraph, where it is satisfied that-

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed nor ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea the tank is pre-washed in accordance with a procedure approved by the Administration and based on standards developed by the Organisation and resulting tank washings are discharge to a reception facility at another port, provided that

it has been confirmed in writing that a reception facility at that port is available and adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the administration and based on standards developed by the Organisation.

Category B substances outside special areas

(6) With respect to Category B substances, the following provisions shall apply within special areas-

(a) a tank which has been unloaded shall, subject to the provisions of subparagraph *(b)* and *(c),* be pre-washed before the ship leaves the port of unloading. The pre-wash procedure used shall be approved by the Administration and based on standards developed by the Organisation and the resulting tank washings shall be discharged to a reception facility at the port of unloading;

(b) the requirements of subparagraph *(a)* of this paragraph do not apply when all the following conditions are satisfied-

(i) the Category B substance unloaded is identified in the standards development by the Organisation as resulting in a residue quantity, not exceeding the maximum quantity which may be discharged into the sea outside special areas wider regulation 5 (2) of this Annex, and the residues are retained on board for subsequent discharge into the sea outside the special Area in compliance with regulations 5 (2) ofthis Annex; and

(ii) the unloading is carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organisation as referred to under regulation 5A (5) of this Annex, or failing to comply with the approved pumping conditions, alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (1) *(a)* of this regulation, to remove the cargo residues from the ship to quantities specified in regulation 5A of this Annex as applicable;

(c) at the request of the ship's master, the Government of the receiving Party may exempt the ship from the requirements of subparagraph *(a)* of this paragraph, where it is satisfied-

(i) that the tank unloaded is to be reloaded with same substances or another substance compatible with the previous one and that the tank will not be washed or ballasted prior to loading; or

(ii) that the tank unloaded is neither washed nor ballasted at sea and the tank is pre-washed in accordance with a procedure approved by the administration and based on standards developed by the Organisation and resulting tank washing are discharged to reception facility at another port, provided that it has been confirmed in writing that a reception facility at that port is available and adequate for such a purpose; or

(iii) that the cargo residues will be removed by a ventilation procedure approved by the administration and based on standards developed by the Organisation.

Category C substances outside special areas

(7) With respect to Category C substances, the following provisions shall apply within special areas-

(a) a tank which has been unloaded shall, subject to the provisions of sub paragraphs *(b)* and *(c)* of this paragraph be pre-washed before the ship leaves the port of unloading, whenever-

(i) the Category C substance unloaded is identified in the standards developed by the Organisation as resulting in a residue quantity, exceeding the maximum quantity which may be discharged into the sea under regulation 5 (9) ofthis Annex; or

(ii) the unloading is not carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organisation as referred to under regulation 5A (5) of this Annex, unless alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (1) *(a)* of this regulation, to remove the cargo residues from the ship to quantities specified in regulation 5A of this Annex as applicable.

The pre-wash procedure used shall be approved by the Administration and based on standards developed by the Organisation and the resulting tank washings shall be discharged to a reception facility at the port unloading;

(b) the requirements of subparagraph *(a)* of this paragraph do not apply when all the following conditions are satisfied-

(i) the Category C substance unloaded is identified in the standards developed by the Organisation as resulting in a residue quantity not exceeding the maximum quantity which may be discharged into the sea outside the special area in compliance with regulation 5 (3) of this Annex; and

(ii) the unloading is carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organisation as referred to under regulation 5A (5) of this Annex, or failing to comply with the approved pumping conditions, alternative measures are taken to the satisfaction of the surveyor referred to in paragraph *(1) (a)* of this regulation to remove the cargo residues from the ship to quantities specified in regulation 5A of this Annex as applicable;

(c) at the request of the ship's master, the Government of the receiving Party may exempt the ship from the requirements of subparagraph *(a)* of this paragraph, where it is satisfied-

(i) that the tank unloaded is to be reloaded with same substances or another substance compatible with the previous one and that the tank unloaded is not washed or ballasted prior to loading;

(ii) that the tank unloaded is neither washed nor ballasted at sea and the tank is pre-washed in accordance with a procedure approved by the administration and based on standards developed by the Organisation and resulting tank washings are discharged to a reception facility at another port, provided that it has been confirmed in writing that a re-

ception facility at that port is available and adequate for such a purpose; or

(iii) that the cargo residues will be removed by a ventilation procedure approved by the administration and based on standards developed by the Organisation.

Category C substances in all areas

(9) With respect to Category D substances, a tank which has been unloaded shall either be washed and the resulting tank washings shall be discharged to a reception facility, or the remaining residues in the tank shall be diluted and discharged into the sea in accordance with regulation 5 (4) of this Annex.

(10) Any residues retained on board in a slop tank, including those from cargo pump room bilges, which contained a Category A substance, or within a special area either Category A or a Category B substance, shall be discharged to a reception facility in accordance with the provisions of regulation 5 (1), (7) or (8) of this Annex, whichever is applicable.

REGULATION 9

Cargo Record Book

(1) Every ship to which this Annex applies shall be provided with a cargo record book, whether as part of the ship's official log-book or otherwise, in the form specified in the form specified in Appendix IV to this Annex.

(2) The cargo record book shall be completed, on a tank-to-tank basis, whenever any of the following operations with respect to a noxious liquid substance take place in the ship---

(i) loading of cargo;

(ii) internal transfer of cargo;

(iii) unloading of cargo;

(iv) cleaning of cargo;

(v) ballasting of cargo tank;

(vi) discharging of ballast from cargo tanks;

(vii) disposal of residues to reception facilities;

(viii) discharge into the sea or removal by ventilation of residues in accordance with regulation 5 of this Annex.

(3) In the event of any discharge of the kind referred to in Article 8 of the present Convention and regulation 6 of this Annex of any noxious liquid substance or mixture containing such substance, whether intentional, an entry shall be made in the cargo record book stating the circumstance of, and the reason for the discharge.

(4) When a surveyor appointed or authorised by the Government of the Party to the Convention to supervise any operations under this Annex has inspected a ship, then that surveyor shall make an appropriate entry in the Cargo Record Book.

(5) Each operation referred to in paragraphs (2) and (3) of this regulation shall be fully recorded without delay in the cargo record book so that all the entries in the book appropriate to that operation are completed. Each entry shall be signed by the officer or officers in charge of the operation concerned and each page shall be signed by the master of the ship. The entries in the cargo record book shall be in an official language of the ship is entitled to fly, and, for

ships holding and International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk or a Certificate referred to in regulation 12A of this Annex in English or French. The entries, in an official national language of the State whose flag the ship is entitled to fly shall prevail in case of a dispute or discrepancy.

(6) The Cargo Record Book shall be kept in such it place as to be readily available for inspection and, except in the case of unmanned ships under two, shall be kept on board the ship. It shall be retained for a period of three years after the last entry has been made.

(7) The competent authority of the Government of a Party may inspect the Cargo Record Book on board any ship to which this Annex applies while the ship is in its port, and may make a copy of any entry in that book and may require the Master of the ship to certify that the copy is a true copy of such entry. Any copy so made which has been certified by the Master of the ship as a true copy of an entry in the ship's Cargo Record Book shall be made admissible in any judicial proceeding as evidence of the fact stated in the entry. The inspection of a Cargo Record Book and the taking of a certified copy by the competent authority under this paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

REGULATION 10

Surveys

(1) Ships carrying noxious liquid substances in bulk shall be subject to the surveys specified below-

(a) an initial survey before the ship is put in service or before the Certificate required under regulation 11 of this Annex is issued for the first time, and which shall include a complete survey of its structure, equipment, systems, fittings, arrangements and material in so far as ship is covered by this Annex. This survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of this Annex;

(b) a renewal survey at intervals specified by the Administration, but not exceeding 5 years, except where regulation 12 (2), 12 (5), 12 (6), 12 (7) of this Annex is applicable. The renewal survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of this Annex;

(c) an intermediate survey within 3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the Certificate which shall take the place of one of the annual surveys specified in paragraph (1) *(d)* of this regulation. The intermediate survey shall be such as to ensure that the equipment and associated pump and piping systems fully comply with the applicable requirements of this requirement of this Annex and are in good working order. Such intermediate surveys shall be endorsed on the certificate issued under regulation 11 of this Annex;

(d) an additional survey within 3 months before or after each anniversary date of the certificate including a general inspection of the structure, equipment, systems, fittings, arrangement and material referred to in paragraph (1) *(a)* of this regulation to ensure that they have been maintained in accordance with para-

graph (3) of this regulation and that they remain satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the certificate issued under regulation 11 of this Annex;

(e) an additional survey either general or partial, accordance to the circumstance, shall be made after a repair resulting from investigations prescribed in paragraph (3) of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirements of this Annex.

(2) (a) Surveys of ships as regards the enforcement of the provisions of this Annex shall be carried out by officers of the Administration. The Administration may, however; entrust the surveys either to surveyors nominated for purpose or to Organisation recognised by it.

(b) An Administration nominating surveyors or recognising Organisation to conduct surveys as set forth in subparagraph *(a)* of this paragraph shall, as a minimum, empower any nominated surveyor or recognised organisation to--

(i) require repairs to a ship; and

(ii) carrying out surveys if requested by the appropriate authorities of a port State.

The Administration shall notify the Organisation of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognised Organisations, for circulation to Parties to the present Convention for the information of their officers.

(c) When a nominated surveyor or recognised Organisation determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the Certificate, or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such surveyor or Organisation shall immediately ensure that corrective action is taken and shall in due course notify the Administration immediately, and if the ship is in a port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognised organisation has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organisation any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall take such steps as will ensure that ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the nearest appropriate repair yard available without presenting an unreasonable threat of harm to the marine environment.

(d) In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

(3) (a) The condition of this ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respect will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(b) After any survey of the ship under paragraph (1) of this regulation has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangement or

material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fittings.

(c) Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency or completeness of its equipment covered by this Annex, the master or owner of the ship shall report at the earliest opportunity to the Administration, the recognised organisation or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph (1) of this regulation is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognised organisation shall ascertain that such report has been made.

REGULATION 11

Issue or Endorsement of Certificate

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 10 of this Annex, to any ship carrying noxious liquid substances in bulk and which is engaged in voyages to ports or terminals under the jurisdiction of other Parties to the Convention.

(2) Such Certificate shall be issued or endorsed either by the Administration or by any person or organisation duly authorised by it. In every case, the Administration assumes full responsibility for the Certificate.

(3) (a) The Government of a Party to the Convention may, at the request of the Administration, cause a ship to be surveyed, and, if satisfied that the provisions of this Annex are complied with, shall issue or authorise the issue of an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substance in Bulk to the ship and, where appropriate, endorse or authorise the endorsement of that Certificate on the ship, in accordance with this Annex.

(b) A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

(c) A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as the Certificate issued under paragraph (1) of this regulation.

(d) No International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

(4) The International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be drawn up in the form corresponding to the model given in Appendix V to this Annex. If the language used is neither English nor French, the text shall include a translation into any of these languages.

(5) Notwithstanding any other provisions of the amendments to this Annex adopted by the Marine Environment Protection Committee (MEPC) by resolution MEPC. 39(29), any International Pollution Prevention Certificate for the Carriage of Noxious liquid Substances in

Bulk, which is current when these amendments enter into force shall remain valid until it expires under the terms of this Annex prior to the amendments entering into force.

REGULATION 12

Duration and Validity Certificate

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued for a period specified by the Administration which shall not exceed 5 years.

(2) (a) Notwithstanding the requirements of paragraph (1) of this regulation, when the renewal survey is completed within 3 months before the expiring date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiring of the existing Certificate.

(b) When the renewal survey is completed after the expiring date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiring of the existing Certificate.

(c) When the renewal survey is completed more than 3 months before the expiring date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of the renewal survey.

(3) If a Certificate is issued for a period of less than 5 years, the Administration may extend the validity of the Certificate beyond the expiring date to the maximum period specified in paragraph (1) of this regulation, provided that the survey referred to in regulation 10 (1) *(c)* and 10 (1) *(d)* of this Annex applicable when a Certificate is issued for a period of 5 years are carried out as appropriate.

(4) If a renewal survey has been completed and a new certificate cannot be issued or placed on bond the ship before the expiring date of the existing Certificate, the person or organisation authorised by the Administration may endorse the existing Certificate, and such a certificate shall be accepted as valid for a period which shall not exceed 5 months from the expiring date.

(5) If at the time when a ship is to be surveyed, the Administration may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No Certificate shall be extended for a period longer than 3 months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to do so. No Certificate shall be extended for a period longer than 3 months, and a ship to which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiring of the existing certificate before the extension was granted.

(6) A certificate issued to a ship engaged on short voyage which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiring stated on it. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiring of the existing certificate before the extension was granted.

(7) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiring of the existing certificate as required by paragraph (2) *(b),* (5) or (6) of this regulation. In these special circumstances, the new certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.

(8) If an annual or intermediate survey is completed before the period specified in regulation 10 of this Annex, then-

(a) the anniversary date shown on the certificate shall be amended by endorsement to a date which shall not be more than 3 months later than the date on which the survey was completed;

(b) the subsequent annual or intermediate survey required by regulation 10 of this Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date;

(c) the expiring date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 10 of this Annex are not exceeded.

(9) A Certificate issued under regulation 11 of this Annex shall cease to be valid in any of the following cases-

(a) if the relevant surveys are not completed within the periods specified under regulation 10 (1) of this Annex;

(b) if the Certificate is not endorsed in accordance with regulation 10 (1) *(c)* or (10) (1) *(d)* of this Annex;

(c) upon transfer of the ship to the flag of another State, a new certificate shall only be issued when the Government issuing the new Certificate is fully satisfied, that the ship is in compliance with the requirements of regulation 10 (4) *(a)* and 10 (4) *(b)* of this Annex. In the case of a transfer between parties, if requested within 3 months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the Certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

REGULATION 12A

Survey and Certificate of Chemical Tankers

Notwithstanding the provision of Regulations 10, 11 and 12 of this Annex, chemical tankers which have been surveyed and certificate by States Parties to the present Convention in accordance with the provisions of the International Bulk Chemical Code or the Bulk Chemical Code, as applicable, shall be deemed to have complied with the provisions of the said Regulations, and the Certificate issued under that Code shall have the same force and receive the same recognition as the Certificate issued under regulation 11 of this Annex.

REGULATION 13

Requirementfor minimising Accidental Pollution

(1) The design, construction, equipment and operation of ships carrying noxious liquid substances of Category A, B or C in bulk shall as to minimise the uncontrolled discharge into the sea of such substances.

(2) Chemical tankers constructed on or after 1 July 1986 shall comply with the requirement of the International Bulk Chemical Code.

(3) Chemical tankers constructed before 1 July 1986 shall comply with the following requirements-

(a) the following chemicals tankers shall comply with the Bulk Chemical Code, as applicable to ships referred in 1.7.2 of that Code-

(i) ships for which the building contract is placed on or after 2 November, 1973 and which are engaged on voyages to ports or, terminals under the jurisdiction of other States Parties to the Convention; and

(ii) ships constructed on or after 1 July, 1983 which are engaged solely on voyages between ports or terminals under the jurisdiction of other States Parties to the Convention; and

(b) the following chemical tankers shall comply with the Bulk Chemical Code as applicable to ships referred in 1.7.3 ofthat Code-

(i) ships for which the building contract is placed before 2nd November, 1973 and which are engaged on voyages to ports or terminals under the jurisdiction of other States Parties to the Convention; and

(ii) ships constructed before

1 July, 1983 which are engaged on voyages between ports or terminal within the State the flag of which the ship is entitled to fly, except that for ships of less than 1,600 gross tonnage compliance with the Code in respect of construction and equipment shall take effect not later than 1 July 1994.

(4) In respect of ships other than chemical tankers carrying noxious liquid substances of Category A, B or C in bulk, the Administration shall establish appropriate measures based on the Guidelines developed by the Organisation in order to ensure that the provision of paragraph (1) of this regulation are complied with.

REGULATION 14

Carriage and Discharge of Oil-like Substances

Notwithstanding the provision of other regulations of this Annex, noxious liquid substance referred to in Appendix 11 of this Annex as falling under Category C or D and identified by the Organisation as oil-like substances under the criteria developed by the Organisation, may be carried on an oil tanker as defined in Annex I of the present Convention, provided that all of the following conditions are compiled with-

(a) the ship complies with the provision of Annex [of the present Convention as applicable to product carrier as defined in that Annex;

(b) the ship carries an International Oil Pollution Prevention Certificate and its Supplement B and the Certificate is endorsed to indicate that the ship may carry oil-like substance in conformity with this regulation and the endorsement include a list of oil-like substance the ship is allowed to carry;

(c) in the case of Category C substance the ship complies with the ship type 3 damage stability requirements of-

(i) the International Bulk Chemical Code, in the case of a ship constructed on or after 1 July, 1986; or

(ii) the Bulk Chemical Code as applicable under regulation 13 of this Annex, in the case of a ship constructed before 1 July 1986; and

(d) the oil content meter in the oil discharge monitoring and control system on the ship is approved by the Administration for use in monitoring the oil-like substances to be carried.

REGULATION 15

Port State Control on Operational Requirements

(1) A ship when in a port of another Party is subject to inspection by officers duly authorised by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by noxious liquid substances.

(2) In the circumstance given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship not sail until the situation has been brought to order in accordance with the requirements of the Annex.

(3) Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to the regulation.

(4) Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the present Convention.

REGULATION 16

Shipboard Marine Pollution Emergency Plan for Noxious Liquid Substances

(1) Every ship of 150 gross tonnages and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances approved by the Administration. This requirement shall apply to all such ships not later than 1 January, 2003.

(2) Such a plan shall be in accordance with guidelines developed by the Organisation and written in a working language understood by the master and officers. The plan shall consist at least of-

(a) the procedure to be followed by the master or other persons having charge of the ship to report a noxious liquid substances pollution incident, as required in Article 8 and Protocol I of the present Convention based on the guidelines developed by the Organisation;

(b) the list of authorities or person to be contacted in the event ofa noxious liquid substances pollution incident;

(c) a detailed description of the action to be taken immediately by person on board to reduce or control the discharge of noxious liquid substances following the incident; and

(d) the procedure and point of contact on the ship for coordinating shipboard action with national and local authorities in combating the pollution.

(2) In the case of the ship to which regulation 26 of Annex I of the Convention also apply, such a plan may be combined with the shipboard oil pollution emergency plan required under regulation 26 of Annex I of the Convention. In this case the title of such a plan shall be "Shipboard Marine Pollution Emergency Plan".

APPENDICES TO ANNEX Il

APPENDIX I

Guidelines for the Categorisation of Noxious Liquid Substances

CATEGORY A:

Substance which are bio-accumulated and liable to provide a hazard to aquatic life; or which are highly toxic to aquatic life (as expressed by a Hazard Rating 4, defined by a TLm less than 1 ppm); and additionally certain substances which are moderating toxic to aquatic life (as expressed by a Hazard Rating 3, defined by a TLm of I or more, but less than 10 ppm) when particular weight is given to additional factors in the hazard profile or to special characteristics of the substance.

CATEGORY B:

Substances which are bio-accumulated with a short retention of the order of one week or less, or, which are liable to produce tainting of the sea food; or which are moderately toxic to aquatic life (as expressed by a Hazard Rating 3; defined by a TLm of 1 ppm or more, but less than 10 ppm); and additionally certain substances which are slightly toxic to aquatic life, (as expressed by a Hazard Rating 2, defined by a TLm of 10 ppm or more, but less than 100 ppm) when particular weight is given to addition factors in the hazard profile or to special characteristics of the substance.

CATEGORY C:

Substance which are slightly toxic to aquatic life (as expressed by Hazard rating 2, defined by a TLm of 10 or more, but less than 100 ppm); and additionally certain substances which are practically non-toxic to aquatic life (as expressed by Hazard rating 1, defined by a TLm of 100pmm or more, but less than 1,000 ppm) when particular weight is given to additional factors in the hazard profile or to special characteristics of the substances.

CATEGORY D:

Substances which are practically non-toxic to aquatic life (as expressed by Hazard rating 1, defined by a TLm of 100 ppm or more, but less than 100 ppm); or causing deposits blanketing

the sea floor with a high biochemical oxygen demand (BOD); or highly hazardous to human health, with an LD50 of less than 5 mg/kg; or produce moderate reduction of amenities because of persistency, smell or poisonous or irritatant characteristics, possibly interfering with use of beaches; or moderately hazardous to human health with an LD50 of 5mg/kg or more, but less than 50 mg/kg and produce slight reduction of amenities.

OTHER LIQUID SUBSTANCE

(FOR THE PURPOSES OF REGULATION 4 OF THIS ANNEX)

APPENDIX II

List of Noxious Liquid Substances Carried in Bulk

Noxious liquid substances carried in bulk and which are presently categorised as Category A, B, C, or D and subject to the provisions of this Annex, are so indicated in the pollution category column of Chapters 17 or 18 of the International Bulk Chemical Code.

APPENDIX III

List of Noxious Substances Carried in Bulk

Liquid substances carried in bulk which are identified as falling outside the Category A, B, C or D and not subject to the provision of this Annex are indicated as "III" in the pollution category column of Chapters 17 or 18 of the International Bulk Chemical Code.

APPENDIX IV

Form of Cargo Record Book

CARGO RECORD BOOK FOR SHIPS CARRYING
NOXIOUS LIQUID SUBSTANCES IN BULK

Name: ..... .
Distinctive number of letters:

Gross tonnage:

Period from: .....
Name of Ship: .....
Distinctive number or letters: .....

PLAN VIEW OF CARGO AND SLOP TANKS

(To be completed on board)

Identification of the tanks Capacity

(give the capacity of each tank, in cubic metres)

INTRODUCTION

The following pages shows a comprehensive list of items of cargo and ballast operations which are, when appropriate, to be recorded in the cargo record book on a tank-to-tank basis in accordance with paragraph 2 of regulation 9 of Annex II of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended. The items have been grouped into operational sections, each of which is denoted by a letter.

When making entries in the cargo records book, the date, operational code and item number shall be inserted in the appropriate column and the required particulars shall be recorded chronologically in the blank spaces.

Each completed operation shall be signed for and dated by the officer in charge and, if applicable, by a surveyor authorised by the competent authority of the State in which the ship is unloading. Each completed page shall be countersigned by the master of the ship.

Entries in the Cargo Record Book are required only for operations involving Categories A, B, C and D substances.

LIST OF ITEMS TO BE RECORDED

Entries are required only for operations involving Categories A, B, C and D substances.

(A) Loading of cargo-

1. place of loading;
2. identify tank(s) name of substance(s) and category(ies).

(B) Internal transfer of cargo-

3. name and category of cargo(es) transferred;

1. identity of tanks-
   1. from;
   2. to.
1. Was (were tanks) in 4.1 emptied?
2. If not, quantity remaining in tank(s).

(C) Unloading of cargo-

1. place of unloading;
2. identity oftank(s) unloaded;
3. was (were) tank(s) emptied?
   A. if "yes", confirm that the procedure for emptying and stripping has been performed in accordance with the Ship's Procedures and Arrangements Manual (i.e. list trim, stripping temperature);
   1. if not, quantity remaining in tank(s).
2. Does the Ship's Procedures and Arrangements Manual require a pre-wash with subsequent disposal to reception facilities?
3. Failure of pumping and/or stripping system-
   4. time and nature of failure;
   5. reasons for failure;
   6. time when system has been made operational.

(D) Mandatory pre-wash in accordance with the Ship's Procedure and Arrangements Manual-

1. identity tank(s), substance(s) and category(ies);
2. washing method-
    1. number of washing machines per tank;
    2. duration of wash/washing cycles;
    3. hot/cold wash;
1. pre-wash slop transferred to-
    1. reception facility in unloading port (identity port);
    2. reception facility otherwise (identity port).

(E) Cleaning of cargo tanks except mandatory pre-wash (other pre-wash operations, final wash, ventilation, etc.)-

1. State time, identity tank(s), substance(s) and category(ies) and state-
    1. washing procedure used;
    2. cleaning agent(s) (identity agent(s) and quantities;
    3. dilution of cargo residues with water (state how much water used only Category 0 substances);
    4. ventilation procedure used (state number of fans used duration of ventilation).
5. Tank washing transferred-
    1 . into the sea;
    6. to reception facility (identity port);
    7. to slops collecting tank (identity tank).

(F) Discharge into sea of tank washings-

1. identify *tank(s)*---
    1. were tank washings discharged during cleaning of tank(s)? If so, at what rate?
    1. were tank washing(s) discharged from a slops collecting tank? If so, state quantity and rate of discharge;
2. time pumping commenced and stopped;
3. ship speed during discharge.

(G) Ballasting of cargo tank-

4. identity oftank(s) ballasted;
5. time at start of ballasting.

(H) Discharge of ballast water from cargo tanks-

1. identity oftank(s);
2. discharge of ballast-
    3. into the sea;
    4. to reception facilities (identify port);

5. time ballast discharge commenced and stopped;
6. ship's speed during discharge.

(I) Accidental or other exceptional discharge-

1. time of occurrence;
2. approximate quantity, substance(s) and category(ies);
3. circumstances of discharge or escape and general remarks.

(J) Control by authorised surveyors-

1. identify port;
2. identify tank(s), substance(s) category(ies) discharge ashore;
3. have tank(s), *pump(s)* and piping *system(s)* been emptied?
4. has a pre-wash in accordance with the Ship's Procedures and Arrangements Manual been carried out?
5. have tank washings resulting from the pre-wash been discharged ashore and is the tank empty?
1. an exemption has been granted from mandatory pre-wash;
2. reasons for exemption;
3. name and signature of authorised surveyor;
4. Organisation, company, Government agency for which surveyor works.

(K) Additional operational procedures and remarks-

Name of ship: .....
Distinctive number or letters: .....

CARGO/BALLAST OPERATIONS

Date Code (Letter) Item (Number), Record of operation/signatures of officers in charge/name of and signature of authorised surveyor.

Signature of Master .....

1.1 this Annex, "harmful substances" are those substances which are identified as marine pollutants in International Maritime Dangerous Goods Code (IMDG Code)*.

1.2 Guidelines for the identification of harmful substances in packaged form are given in the appendix to this Annex.

1.3 For the purpose of this Annex "packaged form" is defined as the forms of contact.

APPENDIX V

Form of NLS Certificate

INTERNATIONAL POLLUTION PREVENTION CERTIFICATE FOR THE CARRIAGE OF NOXIOUS LIQUID SUBSTANCE IN BULK

Issued under the provision of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as amended by Resolution MEPC. 39(29) (hereinafter referred to as "the Convention") under the authority of the Government of ..... .

(Full designation of the country)

By ..... .

(Full designation of the competent person or organisation authorised under the provision of the Convention)

Particular of Ship*
Name of ship: .....
Distinctive number of letters:

Port of registry: ..... .
Gross tonnage: ..... .
IMO Number** ..... .
THIS IS TO CERTIFY-

A. That the ship has been surveyed in accordance with regulation 10 of Annex 11 of the Convention.

1. That the surveyor showed that the structure, equipment, system, fittings, arrangements and material of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex 11 of the Convention.

1. That the ship has been provided with a manual in accordance with the standard for procedures and arrangements as called for by regulation 5, 5A and 8 of Annex II of the Convention, and that the arrangements and equipments of the ship prescribed in the manual are in all respect satisfactory and comply with the applicable requirements of the said standards.
2. That the ship is suitable for the carriage in bulk of the following noxious liquid substances, provided that all relevant operational provisions of Annex II of the Convention are observed

Noxious Liquid Substances	Conditions of Carriage
Continued on additional signed	

This Certificate is valid until: ..... ** subject to surveys in accordance with regulation 10 of Annex II of the Convention.
Issued at

(place of issue of Certificate)

(Date of issue)

(Signature of authorised official issuing the Certificate)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

This is to certify THAT AT A SURVEY BY REGULA nON IQ of Annex II of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Annual survey

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

Annual/intermediate survey

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

Annual/intermediate survey

Signed: .....
(Signature of authorised official)
Place: .....

Date: .....

(Seal or stamp of the authority, as appropriate)

Annual survey

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

Annual survey

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ANNUAL/INTERMEDIATE SURVEY IN ACCORDANCE WITH REGULATION 12 *(8)(e)*

THIS IS TO CERTIFY that, at an annual/intermediate survey in accordance with regulation 12 (8) *(c)* of Annex 11 of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed: ..... .
(Signature of authorised official)
Place: ..... .
Date: ..... .

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR LESS THAN 5 YEARS WHERE REGULATION 12(3) APPLIES

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 12 (3) of Annex II of the Convention, be accepted as valid until: .

Signed: ..... .
(Signature of authorised official)
Place: ..... .
Date: ..... .

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND REGULA TION 12 (4) APPLIES

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 12 (4) of Annex II of the Convention, be accepted as valid until: .

Signed: ..... .
(Signature of authorised official)
Place: ..... .
Date: ..... .

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND THE VALIDITY OF CERTIFICATE UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE WHERE REGULATION 12 (5) OR 12 (6) APPLIES

The Certificate shall, in accordance with regulation 12 (5) of Annex 11 of the Convention, be accepted as valid until: .....

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE WHERE REGULATION 12 (8) APPLIES

In accordance with regulation 12 (8) of Annex II of the Convention, the new anniversary date is ...

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

(Seal or stamp of the authority, as appropriate)

In accordance with regulation 12 (8) of Annex II of the Convention, the new anniversary date is ...

Signed: .....
(Signature of authorised official)
Place: .....
Date: .....

ANNEX III

REGULATION FOR THE PREVENTION OF POLLUTION BY HARMFUL SUBSTANCES CARRIED BY SEA IN PACKAGED FORM

REGULATION 1

Application

1. Unless expressly provided otherwise, the regulations of this Annex apply to all ship carrying harmful substances in packaged form.

2. Such carriage of harmful substance is prohibited, except in accordance with the provision of this Annex.

3. To supplement the provision of this Annex, the Government of each Party to the Convention shall issue, or cease to be issued detailed requirements on packing making labelling, documentation storage, limitations and exceptions for preventing or minimising pollution of the marine environment by harmful substances. *

4. For the purpose of this Annex, empty packaging which have been used previously for the carriage of harmful substance shall themselves be treated as harmful substance unless adequate precautions have been taken to ensure that they contain no residues that is harmful to the marine environment.

REGULATION 2

Packing

Packages shall be adequate to minimise the hazard to the marine environment, having regard to their specific contents.

REGULATION 3

Marking and labelling

1. Packages containing a harmful substance shall durably marked with the correct technical name (trade names alone shall not be used) and, further, shall be durably marked or labelled to indicate that the substances is a marine pollutant. Such identification shall be supplemented where possible by any other means, for example by use ofthe relevant United Nations number.

2. The method of marking the correct technical name and of affixing labels on packages containing a harmful substance shall be such that this information will still be identifiable on packages surviving at least three months' immersion in the sea. In considering suitable marking and labelling, account shall be taken of the durability of the materials used and of the surface of the package.

3. Packages containing small quantities of harmful substances may be exempted from the marking requirements.

REGULATION 4

Documentation

1. In all documents relating to the carriage of harmful substances by sea where such substances are named the correct technical name of each substance further identified by the addition of the word "MARINE POLLUTANT".

2. The shipping documents supplied by the shipper shall include, or be accompanied by, a signed certificate or declaration that the shipment offered for carriage to minimised the hazard to the marine environment.

3. Each ship carrying harmful substances shall have a special list or manifest setting forth the harmful substances on board and the location thereof. A detailed stowage plan, which sets out the location of harmful substances on board, may be used in place of such special list of manifest. Copies of such documents shall also be retained on shore by the owner of the ship or his representative until the harmful substances are unlocked. A copy of one of these documents shall be made available before departure to the person or organisation designated by the port State authority.

4. When the ships carries a special list or manifest or a detailed stowage plan, required for the carriage of dangerous goods by the International Convention for the Safety of Life at Sea, 1974, as amended, the documents required by this regulation may be combined with those for

dangerous goods. Where documents are combined, a clear distinction shall be between dangerous goods and harmful substances covered by this Annex.

REGULATION 5

Stowage

Harmful substances shall be proper stowed and secured so as to minimise the hazards to the marine environment without impairing the safety of the ship and person on board.

REGULATION 6

Quantity Limitations

Certain harmful substances may, for sound scientific and technical reasons, need to be prohibited for carriage or be limited as to the quantity which may be carried aboard anyone ship. In limiting the quantity, due consideration shall be given to size, construction and equipment of the ship, as well as the packaging and the inherent nature of the substances.

REGULATION 7

Exceptions

1. Jettisoning of harmful substances carried in packaged form shall be prohibited, except where necessary for the purpose of securing the safety of the ship or saving life at sea.

2. Subject to the provision of the present Convention, appropriate measures based on the physical, chemical and biological properties of harmful substances shall be taken to regulate the washing of leakage overboard, provided that a compliance with such measures would not impair the safety of the ship and person on board.

REGULATION 8

Port State Control on Operational Requirements

1. A ship when in a port of another Party is subject to inspection by officer duly authorised by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by harmful substances.

2. In the circumstances given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship shall not until the situation has been brought to order in accordance with the requirements of this Annex.

3. Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to this regulation.

4. Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirement specifically provided for in the present Convention.

APPENDIX TO ANNEX III

Guidelines for the identification of Harmful Substance in Packaged Form

For the purpose of this Annex, substances identified by anyone of the following criteria are harmful substances-

- bio-accumulated to a significant extent and known to produce a hazard aquatic life or to human health (Hazard Rating "+" in column A *); or
- bio-accumulated with attendant risk to aquatic organism or to human health with a short retention of the order of the week or less (Hazard Rating "+" in column A *); or
- highly toxic to aquatic life, defined by a *LC50/96* hour less than 1 ppm (Hazard Rating "4" in column B*);

UNIFIED INTERPRETATION OF ANNEX III

REGULATION 4 (3)

At any stopover, any loading or unloading operations, even partial, carried out at a revision of the documents listing the harmful substances taken on board, indicating their location on board or showing a detailed stowage plan, shall be made available before departure to the person or organisation designated by the port State authority.

REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

REGULATION 1

Definitions

For the purpose of the present Annex-

(1) "new ship" means a ship--

(a) for which the building contract is placed, or in the absence of a building contract, the keel of which is laid or which is at similar stage of construction on or after the date of entry into force of this Annex,

(b) the delivery of which is three years or more after the date of entry into force of this Annex;

(2) "existing ship" means a ship which is not a new ship;

(3) "sewage" means-

(a) drainage and other waste from any form of toilets, urinals and WC scuppers;
(b) drainage from medical premises (dispensary, sick bay, etc. via wash basins wash tubs and scuppers located in such premises);

(c) drainage from spaces containing living animals; or
(d) other waste waters when mixed with the drainage defined above;

(4) "holding tank" means a tank used for the collection and storage of sewage;

(5) "nearest land" - the term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purpose of the present Convention from the nearest land off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in-

Latitude **11** 00' S, Longitude 142 8' E

To a point in latitude 10 35' S, longitude 141 55' E
Thence to a point latitude 10 00' S; longitude 142 00' E
Thence to a point latitude 9 10' S, longitude 143 52' E
Thence to a point latitude 9 00' S, longitude 144 30' E
Thence to a point latitude 13 00' S, longitude 144 00' E
Thence to a point latitude 15 00' S, longitude 146 00' E
Thence to a point latitude 18 00' S, longitude 147 00' E
Thence to a point latitude 21 00' S, longitude 153 00' E

Thence to a point on the coast of Australia latitude 24 42' S, longitude 153 15' E.

REGULATION 2

Application

The provision ofthis Annex shall apply to--

(a) (i) new ships of 200 gross tonnage and above;

(ii) new ships which do not have a measured gross tonnage and are certified to carry more that 10 persons; and

(b) (i) existing ships of200 gross tonnage and above, 10 years after the date of entry into force of this Annex;

(ii) existing ships of less than 200 tonnage which are certified to carry more than 10 persons, 10 years after the date of entry into force of this Annex; and

(iii) existing ships which do not have a measure gross tonnage and are certified to carry more than 10 persons, 10 years after the date of entry into force of this Annex.

REGULATION 3

Surveys

(1) Every ship which is required to comply with the provisions of this Annex and which is engaged in voyage to ports or offshore terminals under the jurisdiction of other parties to the Convention shall be subject to the survey specified be1ow-

(a) an initial survey before the ship is put in service or before the certificate required under regulation 4 of this Annex is issued for the first time, which shall include a survey of the ship which shall be such as to ensure-s-

(i) when the ship is fitted with a sewage treatment plant the plant shall meet operational requirement based on standards and the test methods developed by the Organisation;

(ii) when the ship is fitted with a system to comminute and disinfect the sewage, such a system shall be of a type approved by the Administration;

(iii) when the ship is equipped with a holding tank the capacity of such tank shall be to the satisfaction of the Administration for the retention of all sewage having regard to the operation of the ship, the number of persons on board and other relevant factors. The holding tank shall have a means to indicate visually the amount of it contents; and

(iv) that the ship is equipped with a pipeline leading to the exterior convenient for the discharge of sewage to a reception facility and that such a pipeline is fitted with a standard shore connection in compliance with regulation **It** of this Annex;

(b) periodical surveys at interval specified by the Administration but not exceeding five years which shall be such as to ensure that the equipment, fittings, arrangements and material fully comply with the applicable requirement of this Annex. However, where the duration of the International Sewage Pollution Prevention Certificate (1973) is extended as specified in regulation 7 (2) or (4) of this Annex, the interval of the periodical survey may be extended correspondingly.

(2) The Administration shall establish appropriate measure for ships as regard enforcement for ships which are not subject to the provision of this Annex, are complied with.

(3) Survey of the ship as regards enforcement of this Annex shall be carried out by officers of the Administration.

The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organisations recognised by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the surveys.

(4) After any survey of the ship regulation has been completed, no significant change shall be made in the equipment, fittings, arrangements, or material covered by the survey without the approval of the Administration, expect the direct replacement of such equipment or fittings.

REGULATION 4

Issue of Certificate

(1) An International Sewage Pollution Certificate (1973) shall be issue, after survey in accordance with the provisions of regulation 3 of this Annex, to any ship which is engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention.

(2) Such certificate shall be issued either by the Administration or by any persons or organisation duly authorised by it. In every case the Administration assumes full responsibility for the certificate.

REGULATION 5

issue of Certificate by another Government

(1) The Government of a Party to the Convention may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the provisions of this Annex are complied with, shall issue or authorise the issue of an International Sewage Pollution Prevention Certificate (1973) to the ship in accordance with this Annex.

(2) A copy ofthe Certificate and a copy ofthe survey report shall be transmitted as early as possible to the Administration requesting the survey.

(3) A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as the Certificate issued under regulation 4 of this Annex.

(4) No International Sewage Pollution Certificate (1973) shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

REGULATION 6

Form of Certificate

The International Sewage Pollution Prevention Certificate (1973) shall be drawn up in an officiallanguage of the issuing country in form corresponding to the model given in the Appendix to this Annex. If the language used is neither English nor French, the text shall include a translation into one of these languages.

REGULATION 7

Duration of Certificate

(1) The International Sewage Pollution Prevention Certificate (1973) shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue, except as provided in paragraphs (2), (3) and (4) of this regulation.

(2) If a ship at the time then the certificate expires is not in a part or offshore terminals under the jurisdiction of the Party to the Convention whose flag the ship is entitled to fly, the certificate may be extended by the Administration, but such extension shall be granted only for the purpose of allowing the ship to complete its voyage to the State whose flag the ship is flying or in which it is so be surveyed and then only in cases where it appears proper and reasonable to do so.

(3) No certificate shall be thus extended for a period longer than five months and a ship to which such extension is granted shall not in its arrival in the State whose flag it is entitle to fly or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or State without having obtained a new certificate.

(4) A certificate which has not been extended under the provisions of paragraph (2) of this regulation may be extended by the Administration for a period of grace of up to a month from the date of expiry stated on it.

(5) A certificate shall cease to be valid if significant alterations have taken place in the equipment, fittings, arrangements or material required without the approval of the Administration, except the direct replacement of such equipment or fittings.

(6) A certificate issued to a ship shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (7) of this regulation.

(7) Upon transfer of ship to the flag of another Party, the certificate shall remain in force for a period not exceeding five months provided that it would not have expired before the end of that period or until, the Administration issues replacement certificate, whichever is earlier. As soon as possible after the transfer has taken place the Government of the Party whose flag the ship was formally entitled to fly shall transmit to the Administration a copy of the certificate carried by the ship before the transfer and, if available, a copy of relevant survey report.

REGULATION 8

Discharge of Sewage

(1) Subject to the provision of regulation 9 of this Annex, the discharge of sewage into the sea is prohibited, except when-

(a) the ship is discharging comminuted and disinfected sewage using a system approved by the Administration in accordance with regulation 3 (1) *(a)* at a distance of more than four nautical miles from the nearest land, or sewage which not comminuted or disinfected at a distance of more than 12 nautical miles from nearest land, provided that in any case, the sewage that has been stored in holding tanks shall not be discharged instantaneously but as a moderate rate when the ship is en route and proceeding not less than 4 knots; the rate of discharging shall be approved by the Administration based upon standards developed by the Organisation; or

(b) the ship has in operation an approval sewage treatment plant which has been certified by the Administration to meet the operational requirement referred to in regulation 3 (1) *(a)* (i) of this Annex; and

(i) the test results of the plant are laid down in the ship's International Sewage Pollution Prevention Certificate (1973);

(ii) additionally, the effluent shall not visible floating solid in, nor cause discolouration of, the surrounding water; or

(c) the ship is situated in the waters under the jurisdiction of a State and it is discharging sewage in accordance with such less stringent requirement as may be imposed by such State.

(2) When the sewage is mixed with wastes or waste water having different discharge requirement, the more stringent requirements shall apply.

REGULATION 9

Exceptions

Regulation 8 of this Annex shall not apply to-

(a) the discharge of sewage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

(b) the discharge of sewage resulting from damage to a ship or its equipment if all reasonable precaution have been taken before and after the occurrence of the damage, for the purpose of preventing or minimising the discharge.

REGULATION 10

Reception Facilities

(1) The Government of each Party to the Convention undertakes to ensure the provision of facilities, ports and terminals for the reception of sewage, without causing undue delay to the ships, adequate to meet the needs of the ships using them.

(2) The Government of each Party shall notify the Organisation for transmission to the contracting Government concerned of all cases where the facilities provided under this regulation are alleged to be inadequate.

REGULATION 11

Standards Discharge Connections

To enable pipes of reception facilities to be connected with the ships discharging pipeline, both lines shall be fitted with a standard discharge connections in accordance with the following table-

Standard dimensions of flanges for discharge connections

Description	*Dimension*
Outside diameter	210mm
Inner diameter	According to pipe outside diameter
Bolt circle diameter	170mm
Slots in flange	4 holes 18 mm in diameter equidistantly placed
	on a bolt circle of the above diameter, slotted to
	the flange periphery. The slot width to be
	18mm
Flange thickness	16mm
Bolts and nuts: Quantity and diameter	4, each of 16 mm in diameter and of suitable
	length
The flange is designed to accept pipe up to a maximum internal diameter of 100 mm and shall be	
of steel or other equivalent material having a flat face. This flange together with a suitable gasket,	
shall be suitable for a service pressure of 6kg/cm^2•	

For ships having a moulded depth of 5 metres and less, the inner diameter of the discharge connection may be 38 millimetres.

APPENDIX TO ANNEX IV

FORM OF CERTIFICATE

*International Sewage Pollution Prevention Certificate (1*973)

Issued under the provision of the International Convention for the Prevention of Pollution from Ships, 1973, under the authority of the Government of:

(Full designation of the country)

By:

(Full designation of the competent person or organisation authorised under the provisions of the International Conventionfor the Prevention of Pollution from Ships, 1973)

Name of ship	*Distinctive number of letters*	*Port of registry*	*Gross tonnage*	*No. of persons which the ship is certified to carry*

New/existing ship
Date of building contract: ..... .
Date on which keel was laid or ship was at a similar stage of construction

Date of delivery: ..... .
THIS IS TO CERTIFY THAT:

(1) The ship is equipped with a sewage treatment plantlcomminuter/holding tank and a discharge pipeline in compliance with regulation 3 (1) *(a)* (i) to (iv) of Annex IV of the Convention as fo11 ows-

(a) Description of the sewage treatment plant-

Type of sewage treatment plant: ..... .
Name of manufacturer: ..... .
The sewage treatment plant is certified by the Administration to meet the following effluent standards: .....

(b) Description of eo mm in ut er:

Type of comminuter: ..... .
Name of manufacturer: ..... .
Standard of sewage after disinfection: ..... .

(c) Description of holding tank equipment:

Total capacity of the holding tank ..... m^3
Location ..... .

(d) A pipeline for the discharge of sewage to a reception facility, fitted with a standard shore connection.

(2) The ship has been surveyed in accordance with regulation 3 of Annex IV of the International Convention for the Prevention of Pollution from Ships, 1973, concerning the prevention of pollution by sewage and the survey showed that the equipment of the ship and the condition

thereof are in all respects satisfactory and the ship complies with the applicable requirements of Annex IV of the Convention.

This certificate is valid until: .....

(Place of issue of certificate)

(Date of Issue)

(Signature of authorised official issuing the Certificate)

(Seal or stamp of the issuing authority, as appropriate)

Under the provision of regulation 7 (2) and (4) of Annex IV of the Convention the validity of this Certificate is extended until: .....

Signed: .....

(Signature of authorised officials

Place: .....

Date: .....

(Seal or stamp of the authority, as appropriate)

ANNEX V

REGULATION FOR THE CONTROL OF POLLUTION BY GARBAGE FROM SHIP

REGULATION 1

Definitions

For the purpose of this Annex-

(1) **"Garbage"** means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operations of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the present convention.

(2) **"Nearest land"** - the term **"from the nearest land"** mean from the baseline from which the territorial sea of the territory in question established in accordance with interna-

tional law, except that, for the purposes of the present convention **"from nearest land"** off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in-

Latitude 11 ° 00' S, longitude *142°* 08' E
to a point in latitude 10° 35'S, longitude 141 ° 55' E
thence to a point latitude 10° 00' S; longitude *142°* 00' E
thence to a point latitude 9° 10' S, longitude 143° 52' E
thence to a point latitude 9° 00' S, longitude *144°* 30' E
thence to a point latitude 10° 41' S, longitude *145°* 00 E
thence to a point latitude 13° 00' S, longitude *145°* OO'E
thence to a point latitude 15° 00' S, longitude 146° 00' E
thence to a point latitude 17° 30' S, longitude *147°* 00' E
thence to a point latitude 2 P 00' S, longitude 152°55' E
thence to a point latitude 24°30' S, longitude, 154°00' E

thence to a point on the coast of Australia, in latitude *24°* 42' S, longitude 153°15' E.

(3) **"Special area"** means a sea area where for recognised technical reasons in relation to its oceanographically and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by garbage is required. Special areas shall include those listed in regulation 5 of this Annex.

REGULATION 2

Application

Unless expressly provided otherwise, the provisions of this Annex shall apply to all ships.

REGULATION 3

Disposal of Garbage outside Special Areas

(1) Subject to the provisions of regulations 4, 5 and 6 of this Annex-

(a) the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues, is prohibited;

(b) the disposal into the sea of the following garbage shall be made as far as practicable from the nearest land in any case is prohibited if the distance from the nearest land is less than-

(i) 25 nautical miles for dinnage, lining and packing materials which will float;

(ii) 12 nautical miles for food waste and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse;

(c) disposal into the sea of garbage specified in subparagraph *(b)* (ii) of this regulation may be permitted when it has been passed through a comminuter or grinder and made as far as practicable from the nearest land but in any case is

prohibited if distance from the nearest land is less than 3 nautical miles. Such comminuted or ground garbage shall be capable of passing through a screen with opening no greater than 25 millimetres.

(2) When the garbage is mixed with other discharge having different disposal or discharge requirements the more stringent requirements shall apply.

REGULATION 4

Special Requirementfor Disposal of Garbage

(1) Subject to the provisions of paragraph (2) of this regulation, the disposal of any material regulated by this Annex is prohibited from fixed or floating platforms engaged in the exploration, exploitation and associated offshore procession of seabed mineral resources, and form all other ships when alongside or within 500 metres of such platforms.

(2) The disposal into the sea of food wastes may be permitted when they have been passed through a comminuter or grinder form such fixed or floating platforms located more than 12 nautical miles from land and all other ships when alongside or within 500 metres of such platforms. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

REGULATION 5

Disposal of Garbage within Special Areas

(1) For the purpose of this Annex the special areas are the Mediterranean Sea area, the Baltic Sea area, Black Sea area, the Red Sea area, the Gulf area, the North Sea area, the Antarctic and the Caribbean Sea, which are defined as follows-

(a) the Mediterranean Sea area means the Mediterranean Sea proper including the gulfs and sea therein with the boundary between the Mediterranean and the Black Sea constituted by the 41 ° N parallel and bounded to the west by the Straits of Gibraltar at the meridian of 5° 36' W;

(b) the Baltic Sea area means the Baltic Sea proper with the Gulf of Bothnia and Gulf and the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57° 48' N;

(c) the Black Sea area means Black Sea proper with the boundary between the meditterranenean and Black sea constituted by the parrel41 ° N;

(d) the Red Sea means Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Rais si Ane (12 ° 8.5' N, 43 ° 19.6' E) and Husen Murad (12° 40.4 ' N, 43° 30.2' E);

(e) the "Gulf area" means the sea area located northwest of the rhumb line between Ras al Hadd (22° 30' N, 59° 48' E) and Ras al Fasteh (25° 04' N, 61 ° 25' E);

(f) the North Sea area means the North Sea proper, including seas therein the boundary between-

(i) the North Sea southward oflatitude 62° N and eastwards oflongitude 4° W;

(ii) the Skagerrack, the southern limit of which is determined east of the Skaw

by latitude 57° 44.8' N; and

(iii) the English Channel and its approaches eastward of longitude of 5° W and northward of latitude 48° 30';

(g) the Antarctic area means the sea area south of 60° South latitude;

(h) the wider Caribbean region as defined in article 2, paragraph 1 of the Convention for the protection and development of the marine environment of the wider Caribbean region (Cartagena De Indias, 1983), means the Gulf of Mexico and Caribbean Sea proper including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by the 30° N parallel from Florida eastward to 77° 30' W meridians, thence a rhumb line to the intersection of 20° N parallel and 59° W, meridian thence a rhumb line to the intersection of 7° 20' N parallel and 50° W meridian, thence a rumb line drawn south- westerly to the eastern boundary of French Guiana.

(2) Subject to the provision of regulation 6 of this Annex-

(a) disposal into the sea of the following is prohibited-

(i) all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic products which may contain toxic or heavy metal residues; and

(ii) all other garbage, including paper products, rags, glass, metals, bottles crockery, dunnage, lining and packaging materials;

(b) except as provided in paragraph *(c)* of this paragraph, disposal into the sea of food waste shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land;

(c) disposal into the wider Caribbean region of food wastes which have been passed through a comminuter or grinder shall be made as far practicable from land, but in any case not subject to regulation 4 not less than 3 nauctical miles from the nearest land. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

(3) When the garbage is mixed with other discharge having different disposal or discharge requirements the more stringent requirement shall apply.

(4) Reception facilities within special areas-

(a) the Government of each Party to the Convention, the coastline of which borders a special area undertakes to ensure that as soon as possible in all ports within a special area, adequate reception facilities are provided in accordance with regulation 7 of this Annex, taking into account the special needs of ships operating in these areas;

(b) the Government of which Party concerned shall notify the Organisation of the measures taken pursuant to subparagraph (c) of this regulation. Upon receipt of sufficient notifications the Organisation shall establish a date from which requirements of this regulation in respect of the area in question shall take effect. The Organisation shall notify all parties of the date so established no less than twelve months in advance of that date;

(c) after the date so established, ships calling all ports in these special areas where such facilities are not yet available, shall fully comply with the requirements of this regulation.

(5) Notwithstanding paragraph 4 of this regulation, the following rules apply to the Antarctic area-

(c) the Government of each Party to the Convention at whose ports ships depart en route to or arrive from the Antarctic area undertakes to ensure that as soon as practicable adequate facilities are provided for the reception of all garbage from all ships, without causing undue delay, and according to the needs of the ship using them;

(b) the Government of each Party to the Convention shall ensure that all ships entitle to fly its flag, before entering the Antarctic area, have sufficient capacity in the area and have concluded arrangements to discharge such garbage at a reception facility after leaving the area.

REGULATION 6

Exceptions

Regulations 3, 4, and 5 of this Annex shall not apply to-

(a) the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

(b) the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimising the escape; or

(c) the accidental loss of synthetic fishing nets, provided that all reasonable precautions have been taken to prevent such loss.

REGULATION 7

Reception Facilities

(1) The Government of each Party to the Convention undertakes to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ship, and according to the needs of the ship using them.

(2) The Government of each Party shall notify the Organisation for transmission to the parties concerned of all cases where the facilities provided under this regulation are alleged to be inadequate.

REGULATION 8

Port State Control on Operational Requirements

(1) A ship when in a port of another Party is subject to inspection by officers duly authorised by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by garbage.

(2) In the circumstance given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirement of this Annex.

(3) Procedures relating to the port State control prescribed in article 5 of the present convention shall apply to this regulation.

(4) Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the present Convention.

REGULATION 9

Placards, Garbage Management Plans and Garbage Record-keeping

(1) (a) Every ship of 12 metres or more in length overall shall display placards which notify the crew and passengers of the disposal requirements of regulations 3 and 5 of this Annex, as applicable.

(b) The placards shall be written in the working language of the ship personnel and, for ship's engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention, shall also be in English, French or Spanish.

(2) Every ship of 400 gross tonnage and above and every ship which is certified to carry 15 persons or more, shall carry a garbage management plan which the crew shall follow. This plan shall provide written procedures for collecting, storing, processing and disposing of garbage, including the use of the equipment on board. It shall also designate the person in charge of carrying out the plan. Such plan shall be in accordance with the guidelines developed by the Organisation and written in the working language of the crew.

(3) Every ship of 400 gross tonnage and above every ship which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the sea-bed, shall be provided with a garbage record book. The garbage record book, whether as a part of the ship's official log-book or otherwise, shall be in the form specified in the Appendix to this Annex-

(a) each discharge operation, or completed incineration, shall be recorded in the garbage record book and signed for on the date of the incineration or discharge by the officer in charge. Each completed page of the garbage record book shall be signed by the master of the ship. The entries in the garbage record book shall be at least in English, French or Spanish. Where the entries are also made in an official language of the State whose flag the ship is entitled to fly are also used, these entries shall prevail in case of a dispute or discrepancy;

(b) the entry for each incineration or discharge shall include date and time, position of the ship, description of the garbage and the estimate amount incinerated or discharged;

(c) the garbage record book shall be kept on board the ship and in such a place as to be available for inspection in a reasonable time. This document shall be preserved for a period of two years after the last entry is made on the record;

(d) in the event of discharge, escape or accidental loss referred to in regulation 6 of this Annex an entry shall be made in the garbage record book of the circumstances of the loss.

(4) The Administration may waive the requirements for garbage record books for-

(i) any ship engaged on voyages of 1 hour or less in duration which is certified to carry 15 persons or more; or

(ii) fixed or floating platforms while engaged in exploration and exploitation of the sea-bed.

(5) The competent authority of the Government ... Book on board and ship to which this regulation applies while the ship is in its ports or offshore terminals and may make a copy of any entry in that book, and may require the master of the ship to certify that the copy is a true copy of such an entry. Any copy so made, which has been certified by the master of the ship as a true copy an entry in the ship's garbage record book, shall be admissible in any judicial proceedings as evidence of the facts stated in the entry. The inspection of a garbage record book, and the taking of a certified copy by the competent authority under this paragraph shall be performed as expeditiously as possible without causing the ship to unduly delayed.

[EDITORIAL NOTE: The full text of this section was unavailable at the time of print. It will be included in future updates to the work.]

(6) In the case of ships built before 1 July, 1997, this regulation shall apply as from 1 July, 1998.

SUPPLEMENT TO ANNEX V

FORM OF GARBAGE RECORD BOOK

Garbage Record Book

Name of ship: ....
Distinctive number or letters ....
IMO No: ....
Period: .....from: .....to: .....

1. Introduction-

In accordance with regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

2. Garbage and Garbage management-

Garbage includes all kinds of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

3. Description of the garbage-

The garbage is to be grouped into categories for the purposes of this record book as follows-

(i) plastics;
(ii) floating tonnage, lining or packaging material;
(iii) ground-down paper products, rags, glass, metal, bottles, crockery, etc.;
(iv) paper products, rags, glass, metal, bottles, crockery, etc.;
(v) food waste;
(vi) incinerator ash.

4. Entries in the garbage record book-

4.1 Entries in the garbage record book shall be made on each of the following occasions-

(a) when garbage is discharge into the sea-
(i) date and time of discharge;
(ii) position of the ship (latitude and longitude);
(iii) category of garbage discharged;
(iv) estimated amount discharged for each category in m';
(v) signature of the officer in charge of the operation;

(b) when garbage is discharged to reception facilities ashore to other ship--
(i) date and time of discharge;
(ii) port or facility, or name of the ship;
(iii) category of garbage discharge;
(iv) estimated amount discharged for each category in m';
(v) signature of the officer in charge of the operation;

(c) When garbage is in incinerated-
(i) date and time of start and stop of incineration;
(ii) position of the ship (latitude and longitude);
(iii) estimated amount incinerated in rn';
(iv) signature of the officer in charge of the operation;

(d) accidental or other exceptional discharges of garbage-
(i) time of occurrence;
(ii) port or position of the ship at time of occurrence;
(iii) estimated amount and category of garbage;
(iv) circumstances of disposal, escape or lost, the reason therefore and general remarks.

4.2 Receipts

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the garbage record book for two years.

4.3 Amount of garbage

The amount of garbage on board should be estimated in m^3, if possible separately according to category. The garbage record book contains many references to estimated amount of garbage. It is interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g. the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

Record of Garbage Discharges

Ship's name ....

Distinctive No. of letters ..... IMO No ..... .

Garbage categories-

1. plastic;
2. floating tonnage, lining, or packaging materials;
3. ground paper products, rags, glass, metal, bottles, crockery, etc.;
4. paper products, rags, glass, metal, bottles, crockery, etc.;
5. food waste;
6. incinerator ash except from plastic products which may contain toxic or heavy metal residues.

NarE:- The discharge of any garbage other than food waste is prohibited in Special Areas. Only garbage discharged into the sea must be categorised garbage other than Category I discharged to reception facilities need only be listed as a total estimated amount.

Date/	*Position*	*Estimated amount discharged*						*Estimated*	*Estimated*	*Certifi-*
time	*of the*			*into sea*				*amount dis-*	*amount*	*cate/*
	ship			*(m^3)*				*charged to*	*incinerated*	*Signature*
								reception	*(m^3)*	
								facilities or to		
								other ship (m3)		
		Cat.	Cat.	Cat.	Cat.	Cat.	Cat.			
		1	2	3	4	5	6			

Master's Signature: .....

Date: ..... .

INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 AND 1978 PROTOCOL (RATIFICATION AND ENFORCEMENT) ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation