

## **SEA POLLUTION (PREVENTION OF OIL POLLUTION) (AMENDMENT) REGULATIONS 1997**

I, Michael Woods, Minister for the Marine and Natural Resources, in exercise of the powers conferred on me by sections 10 of the Sea Pollution Act, 1991 (No. 27 of 1991), as adopted by the Marine (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 301 of 1997), hereby make the following Regulations:

### **REG 1**

1. These Regulations may be cited as the Sea Pollution (Prevention of Oil Pollution) (Amendment) Regulations, 1997, and shall come into operation on the 30 day of January, 1998.

### **REG 2**

2. The Sea Pollution (Prevention of Oil Pollution) Regulations, 1994 (S.I. No. 44 of 1994), are hereby amended by the addition of the following Regulation after Regulation 26:

#### **"PORT STATE CONTROL ON OPERATIONAL REQUIREMENTS**

27 (1) A ship that is registered in another state that is a Party to the MARPOL Convention may, when it is in a port within the jurisdiction of the State, be inspected by an officer of the Minister duly authorised by him in that behalf if the officer has clear grounds for believing that the master or crew are not familiar with shipboard procedures under these Regulations relating to the prevention of pollution by oil.

(2) If, consequent on an inspection of a ship by an officer pursuant to his powers under paragraph (1) of this Regulation, the officer confirms that the master or crew are not familiar with the procedures referred to in that paragraph, the Minister shall take such steps (which he is hereby empowered to take) as will ensure that the ship shall not sail from the port until such time as the master or crew or, as the case may be, both the master and crew have become familiar with those procedures.

(3) So much of the procedures specified in Article 5 of the MARPOL Convention as are appropriate shall apply, with any necessary modifications, for the purposes of this Regulation.

(4) Nothing in this regulation shall operate to derogate from the powers and duties of the Minister or any other person under the Act or any regulations made thereunder. "

GIVEN under my Official Seal,  
this 12th day of December, 1997.

Micheal Woods  
Minister for the Marine and Natural Resources.

### **EXPLANATORY NOTE**

These Regulations provide for amendments to the Sea Pollution (Prevention of Oil Pollution) Regulations, 1994 (S.I. No. 44 of 1994) which give effect to Annex I of the International Convention for the Prevention of Pollution from Ships, adopted by the

International Maritime Organisation on 2 November, 1973 and as amended by its Protocol adopted on 17 February, 1978, and as further amended by the Marine Environment Protection Committee (MEPC) of the International Maritime Organisation.