Marine Pollution Act 1987

Does not include amendments by:
Marine Safety Act 1998 No 121, Sch 3.6 [1] (amended by *Ports Corporatisation and Waterways Management Amendment Act 2006 No 84*) (not commenced)

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Long Title
An Act relating to the protection of the sea and certain waters from pollution by oil and other noxious substances discharged from ships; to repeal the *Prevention of Oil Pollution of Navigable Waters Act 1960*; and for related purposes.

Part 1 – Preliminary

1 Name of Act
This Act may be cited as the *Marine Pollution Act 1987*.

2 Commencement
This Act shall commence on a day or days to be appointed by proclamation.

3 Definitions
(1) In this Act:**"Australian fishing vessel"** means a fishing vessel that is registered, or entitled to be registered, in Australia or in relation to which an instrument under section 4
(2) of the *Fisheries Act 1952* of the Commonwealth is in force.**"Australian ship"** means:
(a) a ship registered in Australia, or
(b) an unregistered ship having Australian nationality.
"Convention" means the 1973 Convention as modified and added to by the 1978 Protocol.**"fishing vessel"** means a vessel used or intended to be used for catching fish, whales, seals, walrus or other living resources of the sea or seabed for profit or reward and includes any such vessel in the course of construction, but does not include any vessel:
(a) engaged in harvesting or transportation of algae or aquatic plants, or
(b) that is primarily a carrier or a mother vessel.
"harbour master" has the same meaning it has in the *Ports and Maritime Administration Act 1995*.**"inspector"** means a person who is appointed in writing by the Minister to be an inspector for the purposes of this Act.**"master"**, in relation to a ship, means a person, other than a pilot, having command or charge of the ship.**"pleasure vessel"** means:
(a) a vessel used wholly for the purpose of recreational or sporting activities and not for hire or reward, or
(b) any other vessel declared to be a vessel to which this Act applies by order of the Minister published in the Gazette.

"ship" means a vessel of any type whatsoever capable of being used on or in water and includes:

(a) a hydrofoil boat, or

(b) an air-cushion vehicle, or

(c) a submersible or submarine, or

(d) a floating craft, or

(e) a fixed or floating platform, or

(f) a barge (whether self propelled or not), or

(g) a sea-plane, or

(h) a floating dock (whether self propelled or not),

but does not include a pleasure vessel.**"State waters"** means:

(a) the territorial sea adjacent to the State,

(b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State, and

(c) other waters within the limits of the State prescribed by the regulations for the purposes of this definition.

"territorial sea" means the territorial sea of Australia.**"the 1973 Convention"** means the *International Convention for the Prevention of Pollution from Ships, 1973* as corrected by the Proces-Verbal of Rectification dated 13 June 1978 (a copy of the English text of which, apart from Annexes III, IV and V, as so corrected is set out in Schedule 1), as affected by any amendment, other than an amendment not accepted by Australia, made under Article 16 of the Convention.**"the 1978 Protocol"** means the Protocol of 1978 relating to the *International Convention for the Prevention of Pollution from Ships, 1973* (a copy of the English text of which, apart from Annexes III, IV and V to it, is set out in Schedule 2) as affected by:

(a) the amendments to the Annex to the Protocol adopted on 7 September 1984 (a copy of the English text of which amendments is set out in Schedule 3),

(b) the amendments to the Protocol adopted on 5 December 1985 (a copy of the English text of which relating to the Annex of the Protocol is set out in Schedule 4 and a copy of the English text of which relating to Protocol I to the Convention is set out in Schedule 5), and

(c) any other amendment to the Protocol, other than an amendment not accepted by Australia, made under Article VI of the Protocol.

"this Act" includes the regulations and orders made in pursuance of the regulations.**"Tonnage Measurement Convention"** has the same meaning as in Part XA of the *Navigation Act 1912* of the Commonwealth.**"trading ship"** means a ship that is used, or being a ship in the course of construction, is intended to be used for or in connection with, any business or commercial activity and, without limiting the generality of the foregoing, includes a vessel that is used, or being a vessel in the course of construction, is intended to be used wholly or principally for:

(a) the carriage of passengers or cargo for hire or reward, or

(b) the provision of services to ships or shipping, whether for reward or otherwise,

but does not include a Commonwealth vessel within the meaning of the *Navigation Act 1912* of the Commonwealth or a fishing vessel.

(2) A reference in a section of this Act to a prescribed officer shall be read as a reference to the person for the time being occupying, or performing the duties of, an office in the Government Department, Administrative Office or public authority of the State that deals with matters arising under that section or an officer of or representative of another body, being an office, officer or representative that is prescribed for the purposes of that section.

(3) Except in so far as the contrary intention appears, an expression that is used in this Act and in the Convention, otherwise than in an annex to the Convention, (whether or not

a particular meaning is assigned to it by the Convention) has, in this Act, the same meaning as in the Convention.

(4) For the purposes of this Act:

(a) **"inter-state voyage"** and **"overseas voyage"** have the same respective meanings as in the *Navigation Act 1912* of the Commonwealth,

(b) an intra-state voyage is a voyage other than an inter-state voyage or an overseas voyage, and

(c) for the purposes of paragraphs (a) and (b), a ship shall be deemed to be proceeding on a voyage from the time when it is got under way for the purpose of proceeding on the voyage until the time when it is got under way for the purpose of proceeding on another voyage.

(5) A discharge of oil or of an oily mixture or of a liquid substance or a mixture containing a liquid substance onto or into any land or waters, or any structure or thing, having the result that the whole or any part of the oil or oily mixture or liquid substance or mixture containing a liquid substance eventually enters any State waters, is for the purposes of this Act deemed to be a discharge into those State waters of the oil or oily mixture or liquid substance or mixture containing a liquid substance.

(6) Where, at any time, the gross tonnage applicable to a ship has been determined otherwise than in accordance with the Tonnage Measurement Convention, then, in the application of this Act to the ship at that time, a reference in this Act to the gross tonnage of a ship not expressed in tons shall be taken to be a reference to the gross tonnage of the ship expressed in tons.

4 Act to bind Crown

(1) This Act binds the Crown in right of New South Wales and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

(2) Nothing in this Act renders the Commonwealth or a State or Territory of the Commonwealth liable to be prosecuted for an offence.

(3) Subsection (2) does not affect any liability of any servant or agent of the Commonwealth or of a State or Territory of the Commonwealth to be prosecuted for an offence.

5 Saving of other laws

This Act shall be read and construed as being in addition to and not in derogation of any other law of the State.

5A Ports and Maritime Administration Act 1995

This Act is subject to the *Ports and Maritime Administration Act 1995*.

6 Delegation

(1) The Minister may delegate to a person any of the Minister's functions under this Act, other than this power of delegation.

(2) (Repealed)

Part 2 – Pollution by oil

Division 1 – Discharge of oil or oily mixture

7 Interpretation

Except in so far as the contrary intention appears, an expression that is used in this Part or in Part 6 and in Annex I to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part and in Part 6, the same meaning as in that Annex.

8 Prohibition of discharge of oil or oily mixtures into State waters

(1) Subject to subsections (2) and (4), if any discharge of oil or of an oily mixture occurs from a ship into State waters, the master and the owner of the ship are each guilty of an

offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) Subsection (1) does not apply to the discharge of oil or of an oily mixture from a ship:

(a) for the purpose of securing the safety of a ship or saving life at sea,

(b) if the oil or oily mixture, as the case may be, escaped from the ship in consequence of damage to the ship or its equipment, and all reasonable precautions were taken after the occurrence of the damage or the discovery of the discharge for the purpose of preventing or minimising the escape of oil or oily mixture, as the case may be,

(c) in the case of an oily mixture, if the discharge was for the purpose of combating specific pollution incidents in order to minimise the damage from pollution and was approved by a prescribed officer, or

(d) if the discharge was authorised by the Minister for training purposes.

(3) For the purposes of subsection (2) (b), **"damage"** to a ship or its equipment does not include the following:

(a) damage arising as a result of the master or owner of the ship, or another person acting under the direction of the master or owner of the ship:

(i) acting with intent to cause the damage, or

(ii) acting recklessly and with the knowledge that damage would probably result, or

(iii) acting negligently,

(b) damage arising from a failure to maintain the ship or equipment,

(c) damage arising through wear and tear,

(d) defects that develop during the normal operation of the ship or equipment.

(4) Without limiting the generality of subsection (2) but subject to subsection (5), subsection (1) does not apply to:

(a) the discharge from an oil tanker of oil or an oily mixture, not being oil or an oily mixture of the kind referred to in paragraph (c), if the following conditions are satisfied:

(i) the oil tanker is not within a special area and is more than 50 nautical miles from the nearest land,

(ii) the oil tanker is proceeding en route,

(iii) the instantaneous rate of discharge of oil content does not exceed 60 litres per nautical mile,

(iv) the total quantity of oil discharged into the waters does not exceed:

(A) in the case of an oil tanker that is an existing tanker--one part in 15 000 parts of the total quantity of the cargo of oil of which oil discharged formed a part, or

(B) in the case of an oil tanker that is a new tanker--one part in 30 000 parts of the total quantity of the cargo of oil of which oil discharged formed a part,

(v) the oil tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulations made by virtue of section 35 or by virtue of section 267A of the *Navigation Act 1912* of the Commonwealth,

(b) the discharge from a ship that has a gross tonnage of 400 or more and is not an oil tanker of oil or an oily mixture if the following conditions are satisfied:

(i) the ship is not within a special area and is more than 12 nautical miles from the nearest land,

(ii) the ship is proceeding en route,

(iii) the oil content of the effluent is less than 100 parts in 1 000 000 parts,

(iv) the ship has in operation an oil discharge monitoring and control system, oily-water separating equipment, oil filtering equipment or other installation as required by regulations made by virtue of section 35 or by virtue of section 267A of the *Navigation Act 1912* of the Commonwealth,

(c) the discharge from an oil tanker of oil or an oily mixture, being oil or an oily mixture that is from the machinery space bilges (other than the cargo pump room bilges) of the oil tanker and does not include oil cargo residue, if the conditions specified in paragraph (b) are satisfied in relation to the discharge,

(d) the discharge from an oil tanker, or another ship that has a gross tonnage of 400 or more, of an unprocessed oily mixture, not being an oily mixture that originated from the cargo pump room bilges of the ship or includes oil cargo residue, if the following conditions are satisfied:

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

(ii) the oil content of the unprocessed oily mixture without dilution is not more than 15 parts in 1 000 000 parts,

(e) the discharge from a ship that has a gross tonnage of 400 or more and is not an oil tanker of a processed oily mixture, not being an oily mixture that originated from the cargo pump room bilges of the ship or includes oil cargo residue, if the following conditions are satisfied:

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

(ii) the oil content of the effluent without dilution is not more than 15 parts in 1 000 000 parts,

(iii) the ship has in operation oil filtering equipment as required by regulations made by virtue of section 35 or by virtue of section 267A of the *Navigation Act 1912* of the Commonwealth,

(f) the discharge from an oil tanker of a processed oily mixture, being a processed oily mixture that originates from the machinery space bilges (other than the cargo pump room bilges) of the oil tanker and does not include oil cargo residue, if the conditions specified in paragraph (e) are satisfied in relation to the discharge,

(g) the discharge within a special area from an oil tanker, or another ship that has a gross tonnage of 400 or more, of processed bilge water from machinery spaces, not being bilge water that originated from the cargo pump room bilges of the ship or includes oil cargo residue, if the following conditions are satisfied:

(i) the ship is proceeding en route,

(ii) the oil content of the effluent without dilution is not more than 15 parts in 1 000 000 parts,

(iii) the ship has in operation oil filtering equipment as required by regulations made by virtue of section 35 or by virtue of section 267A of the *Navigation Act 1912* of the Commonwealth,

(iv) the oil filtering equipment is equipped with a stopping device that automatically prevents any discharge of effluent when the oil content of the effluent without dilution is more than 15 parts in 1 000 000 parts,

(h) the discharge within a special area from a ship that has a gross tonnage of less than 400 and is not an oil tanker of oil or an oily mixture if:

(i) the oil content of the effluent without dilution is less than 15 parts in 1 000 000 parts, or

(ii) the following conditions are satisfied:

(A) the ship is proceeding en route,

(B) the oil content of the effluent is less than 100 parts in 1 000 000,

(C) the discharge is made as far as practicable from land and is not less than 12 nautical miles from the nearest land,

(i) the discharge, not being a discharge within a special area, from a ship that has a gross tonnage of less than 400 and is not an oil tanker of an oily mixture that without dilution has an oil content not exceeding 15 parts in 1 000 000 parts, or

(j) the discharge from a ship of clean or segregated ballast.

(5) A reference to an oily mixture in subsection (4) shall be read as not including a reference to an oily mixture that contains:

(a) chemicals or other substances in quantities or concentrations that are hazardous to the marine environment, or

(b) chemicals or other substances that have been introduced for the purpose of attempting to prevent the application of subsection (1) to the discharge of an oily mixture from a ship.

(6) In proceedings for an offence against subsection (1) in relation to a ship, it is sufficient for the prosecution to allege and prove that a discharge of oil or of an oily mixture occurred from the ship into State waters, but it is a defence if it is proved that, by virtue of subsection (2) or (4), subsection (1) does not apply in relation to the discharge.

8A Persons causing a discharge of oil or oily mixtures into State waters

(1) If any discharge of oil or an oily mixture occurs from a ship into State waters, each crew member of the ship, and each person involved in the operation or maintenance of the ship, whose act caused the discharge is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) In proceedings for an offence under subsection (1), it is sufficient for the prosecution to allege and prove that a discharge of oil or an oily mixture occurred from a ship into State waters and the crew member or person involved in the operation or maintenance of the ship committed an act that caused the discharge.

(3) If any discharge of oil or an oily mixture occurs from a ship into State waters, each person responsible for the discharge is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(4) For the purposes of subsection (3) a person is responsible for the discharge if that person, or another person acting under the direction of that person, committed an act that caused the discharge and the person committed the act:

(a) with intent to cause the discharge, or

(b) recklessly and with the knowledge that a discharge would probably result, or

(c) negligently.

(5) Subsections (1) and (3) do not apply to a discharge of a kind or in circumstances referred to in section 8 (2) (a), (c) or (d) or (4).

(6) A prosecution under this section does not affect the prosecution of the master or owner of a ship (or both of them) under section 8, however a person is not liable to be convicted in respect of the same discharge of both an offence:

(a) under this section and section 8 (1), or

(b) under subsections (1) and (3).

9 Oil residues

(1) Subject to subsection (2), if any oil residues that cannot be discharged from a ship into State waters without the commission of an offence against section 8 (1) are not retained on board the ship while the ship is in State waters, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) Oil residues may be discharged from a ship to a reception facility provided in accordance with Regulation 12 of Annex I to the Convention.

10 Duty to report certain incidents involving oil or an oily mixture

(1) Where a prescribed incident occurs in State waters in relation to a ship, the master of the ship shall, without delay, notify, in the prescribed manner, the Minister of the incident. Penalty: $120 000.

(2) In a prosecution of a person for an offence against subsection (1) in relation to a prescribed incident, it is a defence if the person proves that the person was unable to comply with the subsection in relation to the incident.

(3) Where a prescribed incident occurs in State waters in relation to a ship and:

(a) the master of the ship is unable to comply with subsection (1) in relation to the incident, or

(b) the incident occurs in circumstances in which the ship is abandoned,

the owner, charterer, manager or operator of the ship or an agent of the owner, charterer, manager or operator of the ship shall, without delay, notify, in the prescribed manner, the Minister of the incident and, if the Minister is not so notified, each of those persons is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(c) if the offender is a natural person--$120 000, or

(d) if the offender is a body corporate--$2 750 000.

(4) In a prosecution of a person for an offence against subsection (3) in relation to a prescribed incident in relation to a ship, it is a defence if the person proves:

(a) that the person was not aware of the incident, or

(b) in the case of a prescribed incident to which subsection (3) (a) applies, that the person neither knew nor suspected that the master of the ship was unable to comply with subsection (1) in relation to the incident.

(5) Subsection (4) shall not be taken to limit by implication any defence that would, but for that subsection, be available to a person charged with an offence against subsection (3).

(6) A master of a ship who, pursuant to subsection (1), has notified the Minister of the occurrence of a prescribed incident shall, if so requested by the Minister, furnish, within the prescribed time, a report to the Minister in relation to the incident in accordance with the prescribed form. Penalty: $120 000.

(7) Where subsection (3) applies in relation to a prescribed incident in relation to a ship, a person who, pursuant to that subsection, has notified the Minister of the occurrence of the prescribed incident shall, if so requested by the Minister, furnish, within the prescribed time, a report to the Minister in relation to the incident in accordance with the prescribed form. Penalty: $120 000.

(8) A person shall not, in a notice given to the Minister pursuant to subsection (1) or (3) or in a report furnished to the Minister pursuant to subsection (6) or (7), make a statement that is false or misleading in a material particular. Penalty: $120 000.

(9) A notice given to the Minister pursuant to subsection (1) or (3), and a report furnished to the Minister pursuant to subsection (6) or (7), shall not, without the consent of the person charged, be admitted in evidence in a prosecution for an offence against section 8 (1) or 8A (1).

(10) In this section, **"prescribed incident"**, in relation to a ship, means:

(a) a discharge from the ship of oil or an oily mixture, not being a discharge to which section 8 (4) applies, or

(b) an incident involving the probability of a discharge from the ship of oil or an oily mixture, not being a discharge to which section 8 (4) would apply.

11 Oil record book

(1) This section applies to:

(a) a trading ship proceeding on an intra-state voyage,

(b) an Australian fishing vessel proceeding on a voyage other than an overseas voyage, or

(c) a pleasure vessel,

that:

(d) is an oil tanker, or

(e) has a gross tonnage of 400 or more and is not an oil tanker.

(2) Every ship to which this section applies shall carry such oil record books as are required by the regulations to be carried on the ship.

(3) An oil record book shall be in accordance with the appropriate prescribed form with provision made for a signature, in accordance with subsection (6), in relation to each entry made in it and for a signature, in accordance with subsection (7), in relation to each page of it.

(4) If a ship to which this section applies does not carry an oil record book as required by this section, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--200 penalty units, or

(b) if the offender is a body corporate--1 000 penalty units.

(5) Whenever a prescribed operation or prescribed occurrence is carried out or occurs in, or in relation to, a ship to which this section applies, the master of the ship shall make, without delay, appropriate entries in, or cause appropriate entries to be made, without delay, in, the ship's oil record book, being entries in accordance with subsection (6). Penalty: 200 penalty units.

(6) An entry in a ship's oil record book:

(a) shall be made in the English language, and

(b) shall be signed by the master of the ship and, in the case of an entry made in relation to a prescribed operation, by the officer or other person in charge of the operation.

(7) Where a page of a ship's oil record book is completed, the master of the ship shall, without delay, sign the page. Penalty: 200 penalty units.

12 False entries in oil record book

A person shall not make, in an oil record book of a ship to which section 11 applies, an entry that is false or misleading in a material particular.

Penalty: 200 penalty units.

13 Oil record book to be retained

(1) The owner of a ship to which section 11 applies shall cause each of the ship's oil record books to be retained:

(a) in the ship, or

(b) at the registered office in the State of the owner,

until the expiration of the period of 3 years after the day on which the last entry was made in the book and to be readily available for inspection at all reasonable times.

(2) Where an oil record book of a ship is not retained in accordance with subsection (1), the owner of the ship is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the owner is a natural person--200 penalty units, or

(b) if the owner is a body corporate--1 000 penalty units.

(3) The owner of a ship to which section 11 applies who resides in the State, or has an office or agent in the State, may from time to time furnish to a prescribed officer notice, in writing, of an address, being the address of:

(a) the place in the State at which the owner so resides,

(b) the office in the State, or, if there is more than one office in the State, the

principal office in the State of the owner, or

(c) the office or place of residence in the State of the owner's agent or, if the agent has more than one office in the State, the principal office in the State of the agent,

and the place or office of which an address is furnished for the time being under this subsection is the registered office in the State of the owner of the ship for the purposes of subsection (1).

(4) Where the owner of a ship to which section 11 applies does not reside in the State and does not have an office or agent in the State, the owner may deposit an oil record book of the ship with a prescribed officer and, while the book is so deposited, the book shall, for the purposes of subsection (1), be deemed to be retained at the registered office in the State of the owner.

Division 2 – Insurance

13A Application of Division

(1) This Division does not apply to:

(a) the following ships unless the regulations declare otherwise:

(i) a ship that has a gross tonnage of 400 or more,

(ii) a ship used wholly for the purpose of recreational or sporting activities and not for hire or reward,

(iii) a ship less than 30 metres in length,

(iv) a seaplane,

(v) a Government ship, other than a Government ship that is being used for commercial purposes, or

(b) a ship of any class declared by the regulations to be a class of exempt ship for the purposes of this Division, or

(c) a particular ship declared to be an exempt ship for the purposes of this Division by order of the Minister given to the owner or master of the ship.

(2) In this section, **"Government ship"** has the same meaning as in section 13 (1) of the *Protection of the Sea (Civil Liability) Act 1981* of the Commonwealth.

13B Ships must be insured against oil pollution

(1) In this section:**"adequate insurance"** in relation to a ship means:

(a) such insurance or financial security against damage that may be caused by a discharge of oil or an oily mixture as the Minister:

(i) determines, by notice published in the Gazette, is adequate in relation to a particular ship or class of ships, or

(ii) approves in relation to a particular ship, and notifies in writing to the owner or master of the ship, or

(b) if a ship is required by the *Protection of the Sea (Civil Liability) Act 1981* of the Commonwealth to carry a relevant insurance certificate on board, such a certificate in respect of the ship that is in force.

"port" has the same meaning as in the *Ports and Maritime Administration Act 1995*.**"relevant insurance certificate"** has the same meaning as in the *Protection of the Sea (Civil Liability) Act 1981* of the Commonwealth.

(2) A ship must not be in State waters unless the ship:

(a) has adequate insurance, and

(b) carries on board evidence of that insurance in a form approved by the Minister.

(3) If a ship is in State waters without having adequate insurance or carrying on board evidence of that insurance as required by this section, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$55 000, or

(b) if the offender is a body corporate--$110 000.

(4) If an inspector believes on reasonable grounds that the ship does not have adequate

insurance or carry on board evidence of that insurance as required by this section, the inspector may detain the ship in a port or at some other place until such time as the requirements of this section are met.

(5) If a ship, that is detained under this section, departs the port or other place at which it is detained before it is released from detention, the master and the owner are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$55 000, or

(b) if the offender is a body corporate--$110 000.

(6) A person is not guilty of an offence under subsection (5) if the person can establish that he or she was not aware that the ship had been detained.

Part 3 – Pollution by noxious substances

14 Interpretation

(1) In this Part and in Part 6:**"Annex II"** means Annex II to the Convention.**"liquid substance"** does not include oil.**"mixture"** includes ballast water, tank washings and other residues.**"oil"** has the same meaning as it has in Part 2.

(2) Except in so far as the contrary intention appears, an expression that is used in this Part or in Part 6 and in Annex II (whether or not a particular meaning is assigned to it by that Annex) has, in this Part and in Part 6, the same meaning as in that Annex.

15 Application of Act to mixture of oil and liquid substance

Where a mixture contains oil and a liquid substance or oil and liquid substances, Part 2 and this Part apply in relation to the mixture.

16 Categories of noxious liquid substances

(1) The regulations may declare that a liquid substance specified in the regulations shall, for the purposes of this Act, be deemed to be designated in Appendix II to Annex II and to be categorised in a category specified in the regulations, being Category A, B, C or D.

(2) Where, in accordance with subsection (1), the regulations declare that a liquid substance shall be deemed to be designated in Appendix II to Annex II and to be categorised in Category A, the regulations shall declare that, for the purposes of this Act:

(a) a residual concentration specified in the regulations shall be deemed to be the residual concentration prescribed for that substance in column III of that Appendix, and

(b) a residual concentration specified in the regulations shall be deemed to be the residual concentration prescribed for that substance in column IV of that Appendix.

(3) The regulations may declare that a liquid substance designated in Appendix II to Annex II shall, for the purposes of this Act, be deemed not to be so designated.

(4) The regulations may declare that a liquid substance designated in Appendix II to Annex II and categorised in a particular category shall, for the purposes of this Act, be deemed not to be so categorised but to be categorised in a category specified in the regulations.

17 Appendix III substances

(1) The regulations may declare that a liquid substance specified in the regulations shall, for the purposes of this Act, be deemed to be listed in Appendix III to Annex II.

(2) The regulations may declare that a liquid substance listed in Appendix III to Annex II shall, for the purposes of this Act, be deemed not to be so listed.

18 Prohibition of discharge of substances into State waters

(1) Subject to subsection (2) and subsections (4) to (12) (inclusive), if any discharge of a liquid substance, or of a mixture containing a liquid substance, being a substance or mixture carried as cargo or part cargo in bulk, occurs from a ship into State waters, the master and the owner of the ship are each guilty of an offence punishable, upon

conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) Subsection (1) does not apply to the discharge of a liquid substance or a mixture from a ship:

(a) for the purpose of securing the safety of a ship or saving life at sea,

(b) if the substance or the mixture, as the case may be, escaped from the ship in consequence of damage to the ship or its equipment, and all reasonable precautions were taken after the occurrence of the damage or the discovery of the discharge for the purpose of preventing or minimising the escape of the substance or the mixture, as the case may be,

(c) if the discharge was for the purpose of combating specific pollution incidents in order to minimise the damage from pollution and was approved by a prescribed officer, or

(d) if the discharge was authorised by the Minister for training purposes.

(3) For the purposes of subsection (2) (b), **"damage"** to a ship or its equipment does not include the following:

(a) damage arising as a result of the master or owner of the ship, or another person acting under the direction of the master or owner of the ship:

(i) acting with intent to cause the damage, or

(ii) acting recklessly and with the knowledge that damage would probably result, or

(iii) acting negligently,

(b) damage arising from a failure to maintain the ship or equipment,

(c) damage arising through wear and tear,

(d) defects that develop during the normal operation of the ship or equipment.

(4) Without limiting the generality of subsection (2), (5) or (12) but subject to subsection (13), where:

(a) the tank of a ship that held a substance in Category A or a mixture containing a substance in Category A has been cleaned in accordance with regulations made under section 24,

(b) the resulting residues in the tank have been discharged to a reception facility until the concentration of that substance in the effluent to that facility is, in the opinion of an inspector, at or below the residual concentration prescribed for that substance in column III of Appendix II to Annex II and until the tank is empty, and

(c) the residue then remaining in the tank has been subsequently diluted by the addition of a volume of water,

subsection (1) does not apply to the discharge from the ship of the water containing that residue if the following conditions are satisfied:

(d) the discharge is made when the ship is not within a special area,

(e) the discharge is made when the ship is proceeding en route at a speed of:

(i) where the ship is self-propelled, at least 7 knots, or

(ii) where the ship is not self-propelled, at least 4 knots,

(f) the discharge is made below the water line of the ship taking into account the location of the sea-water intakes, and

(g) the discharge is made when the ship is at a distance of not less than 12 nautical miles from the nearest land and is in a depth of water of not less than 25 metres.

(5) Without limiting the generality of subsection (2), (4) or (12) but subject to subsection (13), where:

(a) the tank of a ship that held a substance in Category A or a mixture containing a substance in Category A has been washed in accordance with regulations made

under section 24,

(b) the resulting residues in the tank have been discharged to a reception facility provided in accordance with Regulation 7 of Annex II by a State bordering a special area until the concentration of that substance in the effluent to that facility is, in the opinion of an inspector, at or below the residual concentration prescribed for that substance in column IV of Appendix II to Annex II and until the tank is empty, and

(c) the residue then remaining in the tank has been subsequently diluted by the addition of a volume of water,

subsection (1) does not apply to the discharge into State waters of the water containing that residue if the conditions specified in paragraphs (e), (f) and (g) of subsection (4) are satisfied in relation to the discharge from the ship.

(6) Without limiting the generality of subsection (2), (7) or (12) but subject to subsection (13), subsection (1) does not apply to the discharge from a ship of:

(a) a substance in Category B, or

(b) a mixture containing a substance in Category B, not being a mixture containing a substance in Category A,

if the following conditions are satisfied:

(c) the discharge is made when the ship is not within a special area,

(d) the discharge is made when the ship is proceeding en route at a speed of:

(i) where the ship is self-propelled, at least 7 knots, or

(ii) where the ship is not self-propelled, at least 4 knots,

(e) the procedures and arrangements for the discharge have been approved by a prescribed officer, being procedures and arrangements that ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in Category B in the wake astern of the ship does not exceed 1 part in 1 000 000 parts,

(f) the maximum quantity of cargo discharged from each tank of the ship (including the associated piping system of the tank) does not exceed the maximum quantity specified in the procedures referred to in paragraph (e), not being a quantity exceeding 1 cubic metre or 1 part in 3 000 parts of the tank capacity in cubic metres, whichever is the greater,

(g) the discharge is made below the water line of the ship, taking into account the location of the sea-water intakes, and

(h) the discharge is made when the ship is 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.

(7) Without limiting the generality of subsection (2), (6) or (12) but subject to subsection (13), where:

(a) the tank of a ship that held:

(i) a substance in Category B, or

(ii) a mixture containing a substance in Category B, not being a mixture containing a substance in Category A,

has been pre-washed in accordance with a procedure approved by a prescribed officer, and

(b) the resulting tank washings have been discharged to a reception facility,

subsection (1) does not apply to the discharge from the ship of the residue in that tank if the conditions specified in paragraphs (d), (e), (g) and (h) of subsection (6) are satisfied in relation to the discharge from the ship.

(8) Without limiting the generality of subsection (2), (9) or (12) but subject to subsection (13), subsection (1) does not apply to the discharge from a ship of:

(a) a substance in Category C, or

(b) a mixture containing a substance in Category C, not being a mixture

containing a substance in Category A or B,

if the following conditions are satisfied:

(c) the discharge is made when the ship is not within a special area,

(d) the discharge is made when the ship is proceeding en route at a speed of:

(i) where the ship is self-propelled, at least 7 knots, or

(ii) where the ship is not self-propelled, at least 4 knots,

(e) the procedures and arrangements for the discharge have been approved by a prescribed officer, being procedures and arrangements that ensure that the concentration and rate of discharge of the effluent are such that the concentration of the substance in Category C in the wake astern of the ship does not exceed 10 parts in 1 000 000 parts,

(f) the maximum quantity of cargo discharged from each tank of the ship (including the associated piping system of the tank) does not exceed the maximum quantity specified in the procedures referred to in paragraph (e), not being a quantity exceeding 3 cubic metres or 1 part in 1 000 parts of the tank capacity in cubic metres, whichever is the greater,

(g) the discharge is made below the water line of the ship, taking into account the location of the sea-water intakes, and

(h) the discharge is made when the ship is 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.

(9) Without limiting the generality of subsection (2), (8) or (12) but subject to subsection (13), subsection (1) does not apply to the discharge from a ship of:

(a) a substance in Category C, or

(b) a mixture containing a substance in Category C, not being a mixture containing a substance in Category A or B,

if the following conditions are satisfied:

(c) the discharge is made when the ship is proceeding en route at a speed of:

(i) where the ship is self-propelled, at least 7 knots, or

(ii) where the ship is not self-propelled, at least 4 knots,

(d) the procedures and arrangements for the discharge have been approved by a prescribed officer, being procedures and arrangements that ensure that the concentration and rate of discharge of the effluent are such that the concentration of the substance in Category C in the wake astern of the ship does not exceed 1 part in 1 000 000 parts,

(e) the maximum quantity of cargo discharged from each tank of the ship (including the associated piping system of the tank) does not exceed the maximum quantity specified in the procedures referred to in paragraph (d), not being a quantity exceeding 1 cubic metre or 1 part in 3 000 parts of the tank capacity in cubic metres, whichever is the greater,

(f) the discharge is made below the water line of the ship, taking into account the location of the sea-water intakes, and

(g) the discharge is made when the ship is 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.

(10) Without limiting the generality of subsection (2) or (12) but subject to subsection (13), subsection (1) does not apply to the discharge from a ship of:

(a) a substance in Category D, or

(b) a mixture containing a substance in Category D, not being a mixture containing a substance in Category A, B or C,

if the following conditions are satisfied:

(c) the discharge is made when the ship is proceeding en route at a speed of:

(i) where the ship is self-propelled, at least 7 knots, or

(ii) where the ship is not self-propelled, at least 4 knots,

(d) the substance or mixture has been mixed with water so that the concentration of the substance in Category D in the effluent does not exceed 1 part in 11 parts, and

(e) the discharge occurs when the ship is not less than 12 nautical miles from the nearest land.

(11) Without limiting the generality of subsection (2), subsection (1) does not apply to the discharge from a ship into waters referred to in paragraph (a) or (b) of the definition of **"State waters"** in section 3 (1) of bilge water, or of a mixture resulting from tank cleaning or de-ballasting operations, that contains a liquid substance, or liquid substances, listed in Appendix III to Annex II but does not contain any other liquid substance.

(12) Without limiting the generality of subsection (2) or subsections (4) to (10) (inclusive), subsection (1) does not apply to the discharge from a ship of clean ballast or segregated ballast.

(13) Subsections (4) to (10) (inclusive) do not apply in relation to a mixture that contains a liquid substance that is neither a noxious liquid substance nor a liquid substance listed in Appendix III to Annex II.

(14) In proceedings for an offence against subsection (1) in relation to a ship, it is sufficient for the prosecution to allege and prove that a discharge of a substance, or a mixture containing a substance, carried as cargo of the ship occurred from the ship into State waters, but it is a defence if it is proved that, by virtue of subsection (2), (4), (5), (6), (7), (8), (9), (10), (11) or (12), subsection (1) does not apply in relation to the discharge.

(15) In this section, **"inspector"** includes a surveyor appointed or authorised by the Government of a country that is a Party to the Convention for the purpose of implementing Regulation 8 of Annex II.

18A Persons causing a discharge of substances into State waters

(1) If any discharge of a liquid substance, or of a mixture containing a liquid substance, being a substance or mixture carried as cargo or part cargo in bulk, occurs from a ship into State waters, each crew member of the ship, and each person involved in the operation or maintenance of the ship, whose act caused the discharge is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) In proceedings for an offence under subsection (1), it is sufficient for the prosecution to allege and prove that a discharge of a liquid substance, or of a mixture containing a liquid substance, being a substance or mixture carried as cargo or part cargo in bulk, occurred from a ship into State waters and the crew member or person involved in the operation or maintenance of the ship committed an act that caused the discharge.

(3) If any discharge of a liquid substance, or of a mixture containing a liquid substance, being a substance or mixture carried as cargo or part cargo in bulk, occurs from a ship into State waters, each person responsible for the discharge is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(4) For the purposes of subsection (3) a person is responsible for the discharge if that person, or another person acting under the direction of that person, committed an act that caused the discharge and the person committed the act:

(a) with intent to cause the discharge, or

(b) recklessly and with the knowledge that a discharge would probably result, or

(c) negligently.

(5) Subsections (1) and (3) do not apply to a discharge of a kind or in circumstances referred to in section 18 (2) (a), (c) or (d) or (4)-(12).

(6) A prosecution under this section does not affect the prosecution of the master or owner of a ship (or both of them) under section 18, however a person is not liable to be convicted in respect of the same discharge of both an offence:

(a) under this section and section 18 (1), or

(b) under subsections (1) and (3).

19 Certain liquid substances to be treated as oil

(1) Notwithstanding any other provision of this Act, a prescribed substance in Category C or D, being a substance that has been identified by the Organisation as an oil-like substance under criteria developed by the Organisation, may be carried on an oil tanker within the meaning of Part 2 if the following conditions are satisfied:

(a) the oil tanker complies with the provisions of Annex I of the Convention as applicable to product carriers within the meaning of that Annex,

(b) the oil tanker carries an International Oil Pollution Prevention Certificate and its Supplement B, being a certificate that has an endorsement:

(i) that indicates that the ship is permitted to carry oil-like substances in conformity with Regulation 14 of Annex II of the Convention, and

(ii) that specifies the oil-like substance or substances that the tanker is permitted to carry,

(c) the prescribed substance is the substance, or a substance, referred to in paragraph (b) (ii),

(d) in the case of a substance in Category C--the tanker complies with the ship type 3 damage stability requirements of:

(i) in the case of a tanker constructed on or after 1 July 1986--the International Bulk Chemical Code, or

(ii) in the case of a tanker constructed before 1 July 1986--the Bulk Chemical Code applicable under Regulation 13 of Annex II of the Convention, and

(e) the oil content meter in the oil discharge monitoring and control system of the tanker has been approved by an inspector for use in monitoring the oil-like substances to be carried.

(2) Where, by virtue of subsection (1), a substance is carried on an oil tanker within the meaning of Part 2:

(a) sections 8 and 8A apply in relation to the discharge of the substance as if the substance were oil within the meaning of Part 2, and

(b) sections 18 and 18A do not apply in relation to the discharge of the substance.

20 Duty to report certain incidents involving certain substances

(1) Where a prescribed incident occurs in State waters in relation to a ship, the master of the ship shall, without delay, notify, in the prescribed manner, the Minister of the incident. Penalty: $120 000.

(2) In a prosecution of a person for an offence against subsection (1) in relation to a prescribed incident, it is a defence if the person proves that the person was unable to comply with the subsection in relation to the incident.

(3) Where a prescribed incident occurs in State waters in relation to a ship and:

(a) the master of the ship is unable to comply with subsection (1) in relation to the incident, or

(b) the incident occurs in circumstances in which the ship is abandoned,

the owner, charterer, manager or operator of the ship or an agent of the owner, charterer, manager or operator of the ship shall, without delay, notify, in the prescribed manner, the Minister of the incident and, if the Minister is not so notified, each of those persons is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(c) if the offender is a natural person--$120 000, or

(d) if the offender is a body corporate--$2 750 000.

(4) In a prosecution of a person for an offence against subsection (3) in relation to a prescribed incident in relation to a ship, it is a defence if the person proves:

(a) that the person was not aware of the incident, or

(b) in the case of a prescribed incident to which subsection (3) (a) applies, that the person neither knew nor suspected that the master of the ship was unable to comply with subsection (1) in relation to the incident.

(5) Subsection (4) shall not be taken to limit by implication any defence that would, but for that subsection, be available to a person charged with an offence against subsection (3).

(6) A master of a ship who, pursuant to subsection (1), has notified the Minister of the occurrence of a prescribed incident shall, if so requested by the Minister, furnish, within the prescribed time, a report to the Minister in relation to the incident in accordance with the prescribed form. Penalty: $120 000.

(7) Where subsection (3) applies in relation to a prescribed incident in relation to a ship, a person who, pursuant to that subsection, has notified the Minister of the occurrence of the prescribed incident shall, if so requested by the Minister, furnish, within the prescribed time, a report to the Minister in relation to the incident in accordance with the prescribed form. Penalty: $120 000.

(8) A person shall not, in a notice given to the Minister pursuant to subsection (1) or (3) or in a report furnished to the Minister pursuant to subsection (6) or (7), make a statement that is false or misleading in a material particular. Penalty: $120 000.

(9) A notice given to the Minister pursuant to subsection (1) or (3), and a report furnished to the Minister pursuant to subsection (6) or (7), shall not, without the consent of the person charged, be admitted in evidence in a prosecution for an offence against section 18 (1) or 18A (1).

(10) In this section:**"liquid substance"**, in relation to a discharge into waters referred to in paragraph (a) or (b) of the definition of **"State waters"** in section 3 (1), does not include a substance listed in Appendix III to Annex II.**"prescribed incident"**, in relation to a ship, means:

(a) a discharge from the ship of a liquid substance, or a mixture containing a liquid substance, carried as cargo or part cargo in bulk, not being a discharge to which section 18 (4), (5), (6), (7), (8), (9), (10), (11) or (12) applies, or

(b) an incident involving the probability of a discharge from the ship of a liquid substance, or a mixture containing a liquid substance, carried as cargo or part cargo in bulk, not being a discharge to which section 18 (4), (5), (6), (7), (8), (9), (10), (11) or (12) would apply.

21 Cargo record book

(1) This section applies to a trading ship proceeding on an intra-state voyage that carries liquid substances in bulk.

(2) A cargo record book shall be carried in every ship to which this section applies.

(3) A cargo record book shall be in accordance with the prescribed form with provision made for a signature, in accordance with subsection (7), in relation to each entry made in it and for a signature, in accordance with subsection (8), on each page of it.

(4) Where a ship to which this section applies does not carry a cargo record book as required by this section, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--200 penalty units, or

(b) if the offender is a body corporate--1 000 penalty units.

(5) Whenever a prescribed operation or occurrence is carried out or occurs in, or in relation to, a ship to which this section applies, the master of the ship shall make, without delay, appropriate entries in, or cause appropriate entries to be made without delay in, the ship's cargo record book, being entries in accordance with subsection (7). Penalty: 200

penalty units.

(6) Where an inspector has inspected a ship to which this section applies, the inspector shall make, without delay, appropriate entries in the ship's cargo record book in accordance with subsection (7).

(7) An entry in a ship's cargo record book:

(a) shall be made in the English language, and

(b) in the case of an entry made in relation to a prescribed operation, shall be signed by the officer or other person in charge of the operation.

(8) Where a page of a ship's cargo record book is completed, the master of the ship shall, without delay, sign the page. Penalty: 200 penalty units.

22 False entries in cargo record book

A person shall not make, in a cargo record book of a ship to which section 21 applies, an entry that is false or misleading in a material particular.

Penalty: 200 penalty units.

23 Cargo record book to be retained

(1) A cargo record book of a ship to which section 21 applies shall be retained in the ship until the expiration of a period of one year after the day on which the last entry was made in the book and shall be readily available for inspection at all reasonable times.

(2) Where a cargo record book is not retained in a ship in accordance with subsection (1), the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--200 penalty units, or

(b) if the offender is a body corporate--1 000 penalty units.

(3) The owner of a ship to which section 21 applies shall cause each of the ship's cargo record books to be retained:

(a) in the ship, or

(b) at the registered office in the State of the owner,

until the expiration of the period of 2 years next following the expiration of the period during which the book is required to be retained in the ship by virtue of subsection (1) and to be readily available for inspection at all reasonable times.

(4) Where a cargo record book of a ship is not retained in accordance with subsection (3), the owner of the ship is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the owner is a natural person--200 penalty units, or

(b) if the owner is a body corporate--1 000 penalty units.

(5) The owner of a ship to which section 21 applies who resides in the State, or has an office or agent in the State, may from time to time furnish to a prescribed officer notice, in writing, of an address, being the address of:

(a) the place in the State at which the owner so resides,

(b) the office in the State or, if there is more than one office in the State, the principal office in the State of the owner, or

(c) the office or place of residence in the State of the owner's agent or, if the agent has more than one office in the State, the principal office in the State of the agent,

and the place or office of which an address is furnished for the time being under this subsection is the registered office in the State of the owner of the ship for the purposes of subsection (3).

(6) Where the owner of a ship to which section 21 applies does not reside in the State and does not have an office or agent in the State, the owner may deposit a cargo record book of the ship with a prescribed officer and, while the book is so deposited, the book shall, for the purposes of subsection (3), be deemed to be retained at the registered office in the

State of the owner.

24 Cleaning of tanks of ships

The regulations may make provision for and in relation to giving effect to Regulation 8 of Annex II.

Part 4 – Pollution relating to transfer operations

25 Interpretation

(1) In this Part:**"appropriate person"** means:

(a) in relation to a discharge from an apparatus on a ship:

(i) the owner of the ship, or

(ii) the master of the ship, or

(iii) the owner of the apparatus, or

(iv) the person in charge of the apparatus, and

(b) in relation to a discharge from a ship:

(i) the owner of the ship, or

(ii) the master of the ship, or

(iii) the person in charge of the transfer operation of the ship, and

(c) in relation to a discharge from an apparatus on a place on land:

(i) the occupier of the place, or

(ii) the owner of the apparatus, or

(iii) the person in charge of the apparatus, and

(d) in relation to a discharge from a place on land the occupier of the place, and

(e) in relation to a discharge from a purpose built pipeline:

(i) the occupier of the land on which the pipeline is situated, or

(ii) the person in charge of the pipeline, or

(iii) the owner of the pipeline.

"liquid substance" does not include oil.**"mixture"** includes ballast water, tank washings and other residues.**"occupier"**:

(a) in relation to a place on land (other than a pipeline) means:

(i) the person exercising personally or by employees or agents the right of occupation of the land, or

(ii) if there is no occupier--the owner of the land, and, in the case of a vehicle, includes the person in charge and the owner of the vehicle, but does not include the occupier or owner of the land on or over which the vehicle stands or moves, and

(b) in relation to a pipeline means:

(i) the owner of the pipeline, and

(ii) the lessee, licensee or user of any lease, licence or right of user for the use of the pipeline for the carriage of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance.

"oil" has the same meaning as it has in Part 2.**"place on land"** includes:

(a) any structure or apparatus on or above or below the surface of any land,

(b) any thing or vehicle resting on or moving over land,

(c) any thing resting on or lying under the bed, bank or shore of any State waters,

(d) a pipeline, and

(e) any thing afloat (other than a ship) if it is anchored or attached to the bed, bank or shore of any State waters or is used in any operation for the exploration of the sea-bed or subsoil beneath any State waters or for the exploitation of the natural resources of that sea-bed or subsoil.

"purpose-built pipeline" means a pipeline prescribed for the purposes of this definition.**"transfer operation"** means any operation that is involved in the preparation

for, or in the commencement, carrying on or termination of, a transfer of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance to or from a ship or a place on land.

(2) Except in so far as the contrary intention appears, an expression that is used in this Part and in Annex I or Annex II to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part, the same meaning as in that Annex.

(3) For the avoidance of doubt, more than one appropriate person in relation to a discharge may be found guilty of an offence under section 27 or 28.

26 Discharges to which Part applies

This Part applies to a discharge of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance into State waters:

(a) from a ship or place on land in or in connection with a transfer operation, or

(b) from any apparatus or purpose-built pipeline used in or in connection with a transfer operation, whether or not it is being so used,

but does not apply:

(c) to a discharge that occurs on the landward side of the first isolating valve on land of any apparatus or purpose-built pipeline used in or in connection with a transfer operation, whether or not it is being so used, or at any other place prescribed for the purposes of this section, or

(d) to a discharge to which Part 2 or 3 applies.

27 Prohibition of discharges to which Part applies

(1) If a discharge to which this Part applies occurs, each appropriate person in relation to the discharge, and any other person whose act caused the discharge, are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--$500 000, or

(b) if the offender is a body corporate--$10 000 000.

(2) Subsection (1) does not apply to a discharge:

(a) if the discharge was for the purpose of combating specific pollution incidents in order to minimise the damage from pollution and was approved by a prescribed officer, or

(b) if the discharge was carried out by the holder of a licence under the *Protection of the Environment Operations Act 1997* in accordance with that licence.

28 Duty to report discharge

(1) If a discharge to which this Part applies occurs, each appropriate person in relation to the discharge shall, without delay, notify, in the prescribed manner, the Minister of the occurrence. Penalty: $120 000.

(2) In a prosecution of a person for an offence against subsection (1) in relation to an occurrence, it is a defence if the person proves that the person was unable to comply with the subsection in relation to the occurrence.

(3) A person who, pursuant to subsection (1), has notified the Minister of the occurrence of a discharge, shall, if so requested by the Minister, furnish, within the prescribed time, a report to the Minister in relation to the occurrence in accordance with the prescribed form. Penalty: $120 000.

(4) A person shall not, in a notice given to the Minister pursuant to subsection (1) or in a report furnished to the Minister pursuant to subsection (3), make a statement that is false or misleading in a material particular. Penalty: $120 000.

(5) A notice given to the Minister pursuant to subsection (1), and a report furnished to the Minister pursuant to subsection (3), shall not, without the consent of the person charged, be admitted in evidence in a prosecution for an offence against section 27 (1).

29 Keeping of records relating to transfer etc

(1) This section applies to:

(a) the owner or the master of a ship or the occupier of a place on land to or from which oil or an oily mixture or a liquid substance or a mixture containing a liquid substance is transferred,

(b) the person in charge of an apparatus or a purpose-built pipeline used in or in connection with a transfer operation, and

(c) the occupier of a purpose-built pipeline used in or in connection with a transfer operation.

(2) A person to whom this section applies shall keep such records as the person is required to keep by the regulations.

(3) The regulations may:

(a) prescribe the form in which the records shall be kept and the nature of the entries to be made in them,

(b) require the person keeping the records to retain them for a prescribed period and in a prescribed place,

(c) require the records, at the end of that period, to be transmitted to a place or person determined by or under the regulations, and

(d) provide for the custody or disposal of the records after their transmission.

(4) Whenever an occurrence required by regulations made under this section to be recorded by a person occurs, the person shall make, without delay, the appropriate entry in the prescribed record. Penalty: 200 penalty units.

(5) A person shall not fail to keep or cause to be kept or to retain or to transmit a record in accordance with regulations made under this section. Penalty: If the offender is a natural person, 200 penalty units and if the offender is a corporation, 1 000 penalty units.

(6) A person shall not make, in a record required to be kept by regulations made under this section, an entry that is false or misleading in a material particular. Penalty: 200 penalty units.

30 Joint and several liability--pipelines

Where a discharge to which this Part applies occurs from a pipeline:

(a) the owner of the pipeline, and

(b) any lessee, licensee or user of any lease, licence or right of user for the use of the pipeline for the carriage of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance,

are, for the purposes of this Part and Part 6, jointly and severally liable.

31 Several liability--ships

Where:

(a) a discharge to which this Part applies occurs from 2 or more ships, and

(b) it is not reasonably practicable to identify the oil or oily mixture or liquid substance or mixture containing a liquid substance that has discharged from a particular ship,

all of the oil or oily mixture or liquid substance or mixture containing a liquid substance discharged shall be deemed, for the purposes of this Part and Part 6, to have been discharged from each of those ships.

32 Restrictions on transfer of oil etc at night

(1) Oil or oily mixtures or liquid substances or mixtures containing liquid substances shall not be transferred between sunset and sunrise to or from a ship in State waters unless:

(a) notice of the transfer has been given to, and

(b) permission in writing is obtained from,

the harbour master or other person in charge of the waters or the Minister.

(2) In the case of a transfer to be carried out at a place where transfers are frequently and regularly carried out:

(a) the notice may be a general notice that transfers will be carried out within a period specified in the notice, and

(b) the permission may be general and subject to such conditions as the harbour master, person or Minister thinks fit.

(3) If any oil or oily mixture or liquid substance or mixture containing a liquid substance is transferred to or from a ship in contravention of this section, or if a condition attached to a permission given is not observed:

(a) the owner and the master of the ship, and

(b) if it is transferred to or from a place on land, the occupier of that place,

are each guilty of an offence. Penalty: 500 penalty units.

Part 5 – Ships carrying or using oil or carrying noxious liquid substances

Division 1 – Preliminary

33 Interpretation

(1) In this Part:**"Annex I"** means Annex I to the Convention.**"Annex II"** means Annex II to the Convention.**"foreign ship"** means a ship that is not an Australian ship.

(2) Except in so far as the contrary intention appears, an expression that is used in this Part and in Annex I or Annex II (whether or not a particular meaning is assigned to it by the Annex) has, in this Part, the same meaning as in that Annex.

(3) For the purposes of this Part, a ship shall not be taken to comply with:

(a) the provisions of Annex I if it does not comply with the regulations and orders referred to in section 35, or

(b) the provisions of Annex II if it does not comply with the regulations and orders referred to in section 40.

34 Application of Part

This Part applies to:

(a) a trading ship proceeding on an intra-state voyage,

(b) an Australian fishing vessel proceeding on a voyage other than an overseas voyage, and

(c) a pleasure vessel.

Division 2 – Ships carrying or using oil

35 Regulations to give effect to Regulations 13 to 19 (inclusive) of Annex I

(1) The regulations may make provision for and in relation to giving effect to Regulations 13 to 19 (inclusive) of Annex I.

(2) Without limiting the generality of subsection (1), regulations made for the purposes of that subsection may empower the Minister to make orders with respect to any matter for or in relation to which provision may be made by the regulations by virtue of this section.

36 Ship construction certificates

Where, on receipt of declarations of survey in respect of a ship, the Minister is satisfied that the ship is constructed in accordance with the provisions of Annex I, the Minister may, whether or not the ship is required by Annex I to be constructed in accordance with those provisions, issue in respect of the ship a ship construction certificate in the prescribed form attesting such compliance.

37 Alteration etc of construction of ships and cancellation of certificates

(1) Where the construction of a ship in respect of which a ship construction certificate issued under section 36 is in force is altered, or such a ship is damaged, in a manner which affects its compliance with the provisions of Annex I, the master or owner of the

ship shall, within 7 days after the construction of the ship is altered or the ship is damaged, as the case may be, give a notice in writing of the alteration or damage to such person, and in such form, as are prescribed and, if the notice is not so given, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--10 penalty units, or

(b) if the offender is a body corporate--50 penalty units.

(2) Where a notice required to be given under subsection (1) is not given within the period referred to in that subsection, the following provisions of this subsection have effect:

(a) the obligation to give the notice continues, notwithstanding that that period has expired, until the notice is given,

(b) the master and the owner of the ship are each guilty of a separate and further offence in respect of each day during which the notice is not given, being a day after the expiration of that period,

(c) the penalty applicable to each such separate and further offence is a fine not exceeding:

(i) if the offender is a natural person--10 penalty units, or

(ii) if the offender is a body corporate--50 penalty units.

(3) Where the Minister has reason to believe that:

(a) the report of a surveyor concerning a ship in respect of which a ship construction certificate issued under section 36 is in force was fraudulently or erroneously made or obtained,

(b) a ship construction certificate has been issued under section 36 in respect of a ship upon false or erroneous information,

(c) the construction of a ship in respect of which a ship construction certificate issued under section 36 is in force has been altered, or such a ship has been damaged, in a manner which affects its compliance with the provisions of Annex I, or

(d) the owner of a ship in respect of which a ship construction certificate issued under section 36 is in force has failed to comply with section 38 in respect of the ship,

the Minister may, by instrument in writing, cancel the certificate.

(4) Where the Minister cancels a ship construction certificate issued by it in respect of a ship, the certificate is of no force or effect after the Minister has given notice in writing of the cancellation addressed to the owner, agent or master of the ship and served in accordance with the regulations.

(5) Where a ship construction certificate issued in respect of a ship is cancelled under this section, the Minister may, by notice in writing addressed to the owner, agent or master of the ship and served in accordance with the regulations, require the certificate to be delivered up to the Minister or to such other person as the Minister specifies, and the Minister may detain the ship until the requirement is complied with.

38 Ships to be surveyed periodically

(1) The owner of a ship in respect of which a ship construction certificate issued under section 36 is in force shall, at least once during each period that is a prescribed period in relation to the ship for the purposes of this section, cause the ship to be surveyed for the purpose of ensuring its compliance with the provisions of Annex I.

(2) Where the owner of a ship in respect of which a ship construction certificate issued under section 36 is in force fails to comply with subsection (1) in relation to the ship and to a period that is a prescribed period in relation to the ship, the owner is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the owner is a natural person--20 penalty units, or

(b) if the owner is a body corporate--100 penalty units.

39 Requirement for ship construction certificates

(1) This section applies to:

(a) a trading ship proceeding on an intra-state voyage,

(b) an Australian fishing vessel proceeding on a voyage other than an overseas voyage, or

(c) a pleasure vessel,

that is:

(d) an oil tanker that has a gross tonnage of 150 or more, or

(e) a ship, other than an oil tanker, that has a gross tonnage of 400 or more.

(2) The master of a ship to which this section applies shall not begin a voyage unless there is in force in respect of the ship a ship construction certificate. Penalty: 100 penalty units or imprisonment for 4 years, or both.

(3) The owner of a ship to which this section applies shall not permit the ship to begin a voyage unless there is in force in respect of the ship a ship construction certificate. Penalty:

(a) if the offender is a natural person--100 penalty units or imprisonment for 4 years, or both, or

(b) if the offender is a body corporate--500 penalty units.

(4) In this section **"ship construction certificate"** means:

(a) a ship construction certificate issued under section 36,

(b) a ship construction certificate issued under section 267B of the *Navigation Act 1912* of the Commonwealth,

(c) a ship construction certificate issued under a law of another State or the Northern Territory and being a certificate of a kind prescribed as acceptable for the purposes of this Division,

(d) an International Oil Pollution Prevention Certificate issued to a foreign ship under section 267C of the *Navigation Act 1912* of the Commonwealth, or

(e) an International Oil Pollution Prevention Certificate issued to an Australian ship under the law of a country other than Australia giving effect to Regulation 6 of Annex I.

(5) The owner of a ship to which this section applies in respect of which a ship construction certificate is in force shall cause the certificate to be carried on board the ship. Penalty: 10 penalty units.

Division 3 – Prevention of pollution from ships carrying noxious substances in bulk

40 Regulations to give effect to Regulation 13 of Annex II

(1) The regulations may make provision for and in relation to giving effect to Regulation 13 of Annex II.

(2) Without limiting the generality of subsection (1), regulations made for the purposes of that subsection may empower the Minister to make orders with respect to any matter for or in relation to which provision may be made by the regulations by virtue of this section.

41 Chemical tanker construction certificates

Where, on receipt of declarations of survey in respect of a ship, the Minister is satisfied that the ship is constructed in accordance with the provisions of Annex II, the Minister may, whether or not the ship is required by Annex II to be constructed in accordance with those provisions, issue in respect of the ship a chemical tanker construction certificate in the prescribed form attesting such compliance.

42 Alteration etc of construction of ships and cancellation of certificates

(1) Where the construction of a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force is altered, or such a ship is damaged, in a manner which affects its compliance with the provisions of Annex II, the master or owner of the ship shall, within 7 days after the construction of the ship is altered or the ship is damaged, as the case may be, give a notice in writing of the alteration or damage to such

person, and in such form, as are prescribed and, if the notice is not so given, the master and the owner of the ship are each guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the offender is a natural person--10 penalty units, or

(b) if the offender is a body corporate--50 penalty units.

(2) Without limiting the generality of subsection (1), a ship in respect of which a chemical tanker construction certificate is in force shall, for the purposes of that subsection, be taken to be damaged if the ship becomes unfit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(3) Where a notice required to be given under subsection (1) is not given within the period referred to in that subsection, the following provisions of this subsection have effect:

(a) the obligation to give the notice continues, notwithstanding that that period has expired, until the notice is given,

(b) the master and the owner of the ship are each guilty of a separate and further offence in respect of each day during which the notice is not given, being a day after the expiration of that period,

(c) the penalty applicable to each such separate and further offence is a fine not exceeding:

(i) if the offender is a natural person--10 penalty units, or

(ii) if the offender is a body corporate--50 penalty units.

(4) Where the Minister has reason to believe that:

(a) the report of a surveyor concerning a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force was fraudulently or erroneously made or obtained,

(b) a chemical tanker construction certificate has been issued under section 41 in respect of a ship upon false or erroneous information,

(c) the construction of a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force has been altered, or such a ship has been damaged, in a manner which affects its compliance with the provisions of Annex II, or

(d) the owner of a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force has failed to comply with section 43 in respect of the ship,

the Minister may, by instrument in writing, cancel the certificate.

(5) Where the Minister cancels a chemical tanker construction certificate issued by it in respect of a ship, the certificate is of no force or effect after the Minister has given notice in writing of the cancellation addressed to the owner, agent or master of the ship and served in accordance with the regulations.

(6) Where a chemical tanker construction certificate issued in respect of a ship is cancelled under this section, the Minister may, by notice in writing addressed to the owner, agent or master of the ship and served in accordance with the regulations, require the certificate to be delivered up to the Minister or to such other person as the Minister specifies, and the Minister may detain the ship until the requirement is complied with.

43 Ships to be surveyed periodically

(1) The owner of a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force shall, at least once during each period that is a prescribed period in relation to the ship for the purposes of this section, cause the ship to be surveyed for the purpose of ensuring its compliance with the provisions of Annex II.

(2) Where the owner of a ship in respect of which a chemical tanker construction certificate issued under section 41 is in force fails to comply with subsection (1) in relation to the ship and to a period that is a prescribed period in relation to the ship, the

owner is guilty of an offence punishable, upon conviction, by a fine not exceeding:

(a) if the owner is a natural person--20 penalty units, or

(b) if the owner is a body corporate--100 penalty units.

44 Requirement for chemical tanker construction certificates

(1) Where a trading ship proceeding on an intra-state voyage is constructed or adapted so that it can carry as cargo, or part cargo, in bulk any substance that, for the purposes of Part 3, is a substance in Category A, B, C or D, the master of that ship shall not begin a voyage, and the owner of that ship shall not permit that ship to begin a voyage, unless there is in force in respect of that ship a chemical tanker construction certificate. Penalty:

(a) if the offender is a natural person--100 penalty units or imprisonment for 4 years, or both, or

(b) if the offender is a body corporate--500 penalty units.

(2) In this section **"chemical tanker construction certificate"** means:

(a) a chemical tanker construction certificate issued under section 41,

(b) a chemical tanker construction certificate issued under section 267Q of the *Navigation Act 1912* of the Commonwealth,

(c) a chemical tanker construction certificate issued under a law of another State or the Northern Territory and being a certificate of a kind prescribed as acceptable for the purposes of this Division, or

(d) an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk issued to a foreign ship under section 267R of the *Navigation Act 1912* of the Commonwealth.

(3) The owner of a ship of the kind referred to in subsection (1) in respect of which a chemical tanker construction certificate is in force shall cause the certificate to be carried on board the ship. Penalty: 10 penalty units.

Part 6 – Miscellaneous

45 Reception facilities

(1) The Minister may provide, join with any other person (including the Crown) in providing, arrange for the provision of, or direct the provision of, reception facilities in accordance with Regulation 12 of Annex I and Regulation 7 of Annex II to the Convention.

(2) Regulations may be made fixing charges and imposing conditions for the use of such facilities.

(3) The Minister may serve on:

(a) the owner or the occupier of an oil terminal, oil depot, oil installation or other establishment used for the loading or unloading of oil in bulk or liquid substances in bulk, or

(b) the owner or the occupier of any establishment at which ships are repaired or other work is performed relating to ships and involving the disposal of oily mixtures, mixtures containing liquid substances or oil residues or residues of liquid substances,

a notice containing a requirement set out in subsection (4).

(4) A notice may require an owner or occupier to:

(a) provide facilities of a standard satisfactory to the Minister for the reception or disposal, or both, of residues by ships berthed, docked or otherwise being at the establishment,

(b) maintain the facilities in good order and condition, and

(c) make the facilities available to enable ships to dispose of the residues.

(5) A notice:

(a) may specify a time within which a requirement is to be complied with,

(b) (Repealed)

(c) may be revoked or varied by a further notice.

(6) An owner or occupier shall not fail to comply with a requirement made by a notice.
Penalty: 1 000 penalty units.

(7) A notice may be served:

(a) in any manner in which a summons for an offence against this Act may be served, or

(b) by delivering it to the owner or the occupier or the person appearing to be in charge of the oil terminal, oil depot, oil installation or establishment.

46 Recovery of costs and expenses with respect to pollution by oil

(1) Where a discharge of oil or of an oily mixture occurs into State waters from a ship or a discharge of oil or of an oily mixture to which Part 4 applies occurs, or the Minister is of the opinion that there is a probability of such a discharge occurring, the Minister may take or cause to be taken such action as the Minister thinks fit:

(a) to prevent or limit the discharge,

(b) to disperse or contain any oil or oily mixture that has been discharged,

(c) to remove any oil or oily mixture from waters or land affected by any discharge, or

(d) to minimise the damage from pollution resulting from or likely to result from any discharge.

(2) The Minister may recover all costs and expenses incurred by it in respect of action taken by or on behalf of it under subsection (1) from:

(a) the owner or the master of the ship from which the discharge occurred or there was a probability of a discharge occurring, or

(b) the person who is or would be an appropriate person within the meaning of Part 4 in relation to the discharge or probable discharge,

or any other person whose act caused the discharge or the probability of a discharge.

(3) The costs and expenses referred to in subsection (2) may:

(a) be awarded in the course of proceedings for an offence in respect of a discharge, whether or not the owner, master or person is convicted of an offence, or

(b) be recovered as a debt due in a court of competent jurisdiction,

notwithstanding that proceedings have not been taken for an offence in respect of the discharge.

(4) Except as provided by section 52 or section 52A, nothing in this Act affects or qualifies any rights of the Minister or of any other person to recover damages in respect of the consequences of any discharge from a ship or otherwise.

47 Recovery of costs and expenses with respect to pollution by noxious liquid substances

(1) Where a discharge of a liquid substance, or of a mixture containing a liquid substance, being a substance or mixture carried as cargo or part cargo in bulk occurs into State waters from a ship, or a discharge of a liquid substance or of a mixture containing a liquid substance to which Part 4 applies occurs, or the Minister is of the opinion that there is a probability of such a discharge occurring, the Minister may take or cause to be taken such action as it thinks fit:

(a) to prevent or limit the discharge,

(b) to disperse or contain any substance or mixture that has been discharged,

(c) to remove any liquid substance or mixture containing a liquid substance from waters or land affected by any discharge, or

(d) to minimise the damage from pollution resulting from or likely to result from any discharge.

(2) The Minister may recover all costs and expenses incurred by it in respect of action taken by or on behalf of it under subsection (1) from:

(a) the owner or the master of the ship from which the discharge occurred or there was a probability of a discharge occurring, or

(b) the person who is or would be the appropriate person within the meaning of Part 4 in relation to the discharge or probable discharge,

or any other person whose act caused the discharge or the probability of a discharge.

(3) Subsection (1) does not apply to a discharge of a kind or in circumstances referred to in subsections (4) to (12) inclusive of section 18.

(4) The costs and expenses referred to in subsection (2) may:

(a) be awarded in the course of proceedings for an offence in respect of the discharge, whether or not the owner, master or person is convicted of an offence, or

(b) be recovered as a debt due in a court of competent jurisdiction,

notwithstanding that proceedings have not been taken for an offence in respect of the discharge.

(5) Except as provided by section 52 or section 52A, nothing in this Act affects or qualifies any rights of the Minister or of any other person to recover damages in respect of the consequences of any discharge from a ship or otherwise.

48 Prevention of pollution

(1) Without limiting the generality of sections 46 and 47, where:

(a) a discharge to which this Act applies occurs, or

(b) the Minister is of the opinion that there is a probability of such a discharge occurring,

then, for the purpose of preventing, limiting, dispersing, containing or removing the pollution or likely pollution, the Minister may, by notice in writing signed by a person appointed by it for the purposes of this section, and served on the appropriate person or any other person whose act caused the discharge or probable discharge:

(c) require such action to be taken or prohibit the taking of such action in relation to a ship, its cargo, a place on land, an apparatus, a facility, pipeline, oil, an oily mixture, a liquid substance or a mixture containing a liquid substance, as is specified in the notice,

(d) prohibit the removal of a ship from a place specified in the notice except with, and in accordance with, the approval of the Minister, and

(e) prohibit the removal from a ship of any specified cargo except with, and in accordance with, the approval of the Minister.

(2) The action that the Minister may require to be taken under this section may include:

(a) action to prevent a discharge from occurring (including maintenance, repair, replacement or reconstruction),

(b) the removal of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance from a ship, place on land, an apparatus, a facility or pipeline,

(c) the removal of a ship to a place specified by the Minister,

(d) the termination of any operation or activity,

(e) the reception, removal or transfer of oil or of an oily mixture or of a liquid substance or of a mixture containing a liquid substance as specified in the notice, and

(f) that any facility or apparatus be operated or put in operating condition.

(3) More than one notice may be served under subsection (1) relating to the same discharge or probability of a discharge.

(4) A notice:

(a) may specify a time within which a requirement is to be complied with, and

(b) may, by a further notice served on the appropriate person, be revoked or varied.

(5) In this section:**"appropriate person"** means:

(a) in relation to a discharge or the probability of a discharge to which Part 2 or 3

applies--the owner or the master of the ship concerned, or

(b) in relation to a discharge or the probability of a discharge to which Part 4 applies--the person who is or would be an appropriate person within the meaning of that Part in relation to the discharge or probable discharge.

"cargo" includes ballast, the ship's cargo and fuel.

49 Service of notices

(1) A notice under section 48 relating to a ship or a facility or apparatus of a ship may be served:

(a) in any manner in which a summons for an offence against this Act may be served,

(b) by transmitting the contents of the notice to the master or the person in charge of the ship in any manner, or

(c) by handing it to any person on board the ship who appears to be an officer of the ship.

(2) A notice under section 48 (other than a notice relating to a ship or a facility or apparatus of a ship) may be served:

(a) personally, or

(b) in such other manner as may be prescribed.

50 Non-compliance with notice

(1) A person shall not fail to comply with a requirement made by a notice served on the person under section 48. Penalty: 2 000 penalty units.

(2) A person shall not wilfully obstruct a person who is:

(a) acting on behalf of the Minister in connection with the service of a notice under section 48, or

(b) acting in compliance with a notice under section 48.

Penalty: 2 000 penalty units.

(3) This section does not apply to a person who fails to comply with a requirement or obstructs a person:

(a) for the purpose of securing the safety of a ship or saving life at sea, or

(b) with the approval of a prescribed officer, for the purpose of combating specific pollution incidents in order to minimise the damage from pollution.

(4) If any requirement made by a notice under section 48 is not complied with, the Minister may cause the requirement to be complied with and for that purpose an inspector or other officer, employee or agent of the Minister or any other person authorised by the Minister for the purposes of this section, using such force as is necessary, may:

(a) enter, take and retain possession of any ship, place, apparatus, facility or pipeline,

(b) take and retain possession of any substance or thing,

(c) use and operate any apparatus or machinery, and

(d) do all such things as are necessary for that purpose.

51 Recovery of damages

(1) If, because of a discharge prohibited by this Act, a person (including the Minister):

(a) suffers loss of or damage to property, or

(b) incurs costs or expenses in preventing or mitigating or in attempting to prevent or mitigate any loss of or damage to property (including the property of another),

the person may recover from an appropriate person, or any person whose act caused the discharge, the amount of the loss or damage and the expense incurred as a debt in a court of competent jurisdiction.

(2) In this section:**"appropriate person"** means:

(a) in relation to a discharge to which Part 2 or 3 applies--the owner or the master of the ship concerned, or

(b) in relation to a discharge to which Part 4 applies--an appropriate person in

relation to the discharge within the meaning of that Part.

52 Additional provisions relating to recovery of costs and expenses

(1) The amount of any costs and expenses incurred by the Minister in respect of action taken by or on behalf of it under section 46, 47 or 50 that relates to a ship and a discharge to which this Act applies and the amount of any penalty that can be imposed under this Act against the owner or master of the ship in relation to the discharge are charges on the ship.

(2) The ship may be detained by a person authorised by the Minister for the purposes of this section until the amount is paid or security for the payment of the amount is provided in accordance with section 52B.

52A Detention of ships believed to have discharged oil or noxious substances

(1) A ship in State waters may be detained by a person authorised by the Minister if the Minister has reasonable cause to believe:

(a) that a discharge to which this Act applies has occurred from the ship, and

(b) that, if the Minister were to establish that the discharge had occurred from the ship, the Minister could take proceedings to recover the costs and expenses incurred by it in taking action in relation to that discharge under section 46, 47 or 50, and

(c) that the ship will depart from State waters before the completion of the Minister's investigation into the source of the discharge.

(2) A ship that has been detained must be immediately released:

(a) if security is provided in accordance with section 52B, or

(b) if proceedings are instituted in relation to the discharge and are discontinued, or

(c) if proceedings are instituted in relation to the discharge and are concluded, whether or not an appeal is pending, without any person being convicted or costs or expenses being awarded against any person, or

(d) if proceedings in relation to the discharge are concluded and all costs and expenses ordered to be paid and all penalties imposed have been paid, or

(e) if the Minister has sought to recover costs and expenses incurred by it as a debt due and the amount has been paid, or

(f) if the Minister forms the belief that the discharge did not occur from the ship, or

(g) if the Minister determines for any other reason that the ship should be released.

(3) Security may be required to be provided for the payment of:

(a) any amount that might, in the opinion of the Minister, be recoverable by the Minister under section 46, 47 or 50 from the owner or master of the ship in relation to the discharge, and

(b) the maximum amount of penalties that can be imposed under this Act against the owner or master in relation to the discharge.

52B Security taken by the Minister

(1) This section applies where security is taken by the Minister under section 52 or 52A.

(2) The security must be in a form acceptable to the Minister.

(3) The amount available under the security must be applied only as follows:

(a) in payment of any costs or expenses that have been ordered to be paid by the master or owner in the course of proceedings for an offence in respect of the discharge or that are recoverable under this Part against the master or owner as a debt due,

(b) in payment of any penalty imposed by a court in the course of proceedings for an offence in respect of the discharge.

52C Departure of ships under detention

(1) The master and the owner of a ship detained under this Part which departs State waters before it is released from detention are each guilty of an offence against this section. Maximum penalty: 1 000 penalty units (in the case of a corporation) or 200 penalty units (in any other case).

(2) A person is not guilty of an offence under this section if the person can establish that he or she was not aware that the ship had been detained under this Part.

53 Powers of inspectors etc

(1) For the purposes of ascertaining:

(a) whether a provision of this Act that is applicable in relation to a ship has been complied with in respect of the ship, or

(b) whether there is a probability of or has been a discharge into State waters in contravention of this Act,

an inspector, or other person authorised by the Minister for the purposes of this section, may:

(c) go on board the ship with such assistants and equipment as the inspector or person considers necessary,

(d) require the master of the ship to take such steps as the inspector or person directs to facilitate the boarding,

(e) inspect and test any machinery or equipment of the ship,

(f) require the master of the ship to take such steps as the inspector or person directs to facilitate the inspection or testing of any machinery or equipment of the ship,

(g) open, or require the master of the ship to cause to be opened, any hold, bunker, tank, compartment or receptacle in or on board the ship and inspect the contents of any hold, bunker, tank, compartment or receptacle in or on board the ship,

(h) require the master of the ship to produce a record book required by this Act or the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* of the Commonwealth to be carried in the ship or any other books, documents or records relating to the ship or its cargo that are carried in the ship,

(i) make copies of, or take extracts from, any such books, documents or records,

(j) require the master of the ship or other person to certify that a true copy of an entry in a record book required by this Act to be carried in the ship or kept by the person made by the inspector or authorised person is a true copy of such an entry,

(k) examine, and take samples of, any substances being in, on, or in the vicinity of, a ship, purpose-built pipeline or place on land in respect of which an investigation of a discharge or suspected discharge in breach of a provision of this Act is being made,

(l) require the master of the ship or the owner or occupier of the pipeline or place, or any person representing the master, owner or occupier, to certify the taking of the samples,

(m) require the testing of any apparatus in or on the ship, pipeline or place, the condition or efficiency of which is, in the opinion of the inspector or person, relevant to the probability of a discharge, a discharge or a suspected discharge into State waters in breach of a provision of this Act, and

(n) require a person to answer questions.

(2) For the purposes of investigating the probability of a discharge, a discharge or a suspected discharge into State waters in contravention of a provision of this Act, an inspector or other person authorised by the Minister for the purposes of this section, may enter and inspect any place on land.

(3) A person shall not:

(a) without reasonable excuse, hinder or obstruct or refuse or fail to comply with a requirement made of the person by an inspector or person in the exercise of

powers under subsection (1) or (2), or

(b) in answer to a question that the person is required to answer under subsection (1), make a statement that is false or misleading in a material particular.

Penalty: 200 penalty units.

(4) An inspector or person shall not, in exercising powers under subsection (1), unnecessarily delay a ship from beginning a voyage.

54 Time limit for prosecution

A prosecution for an offence against this Act in a Local Court shall be brought within 2 years of the alleged commission of the offence.

55 Proceedings for offences etc

(1) Proceedings for an offence against this Act or the regulations may be dealt with summarily before:

(a) a Local Court constituted by a Magistrate sitting alone, or

(b) the Land and Environment Court in its summary jurisdiction.

(2) In proceedings for an offence against this Act or the regulations brought in a Local Court, the maximum penalty that the Court may impose is, notwithstanding any other provision of this Act:

(a) 100 penalty units or 2 years imprisonment, or both, or

(b) the maximum penalty provided by this Act or the regulations for the offence, whichever is the lesser.

(3) (Repealed)

56 Offences by corporations

(1) If a corporation contravenes any provision of this Act or a regulation, each person who is a director of the corporation or who is concerned in the management of the corporation shall be deemed to have contravened the same provision if the person knowingly authorised or permitted the contravention.

(2) A person may be proceeded against and convicted under a provision pursuant to subsection (1) whether or not the corporation has been proceeded against or been convicted under that provision.

(3) Nothing in this section affects any liability imposed on a corporation for an offence committed by the corporation against this Act or the regulations.

57 Service of summonses

(1) Notwithstanding section 63 of the *Justices Act 1902*, any summons to be served on the owner, master or crew member of a ship in respect of an offence against this Act may be served by serving it on the agent of the ship in any manner in which it might have been served on the owner, master or crew member under that section.

(2) A summons served on an agent of a ship pursuant to subsection (1) shall be deemed to have been served on the owner, master or crew member to whom the summons relates of the ship.

(3) Any summons in respect of an offence against this Act may be issued and served on a Sunday as on any other day.

(4) In this section:**"agent"**, in relation to a ship, includes:

(a) the agent (if any) for the berthing or working of a ship while it is in port, and

(b) where the ship has left port--that agent, or if there was another agent for the ship when it left port, the lastmentioned agent.

58 Evidence

In any proceedings for an offence against a provision of this Act:

(a) any record kept in pursuance of this Act is admissible as prima facie evidence of the facts stated in the record,

(b) a copy of an entry in such a record, being a copy certified by the person by whom the

record is required to be kept to be a true copy of the entry, is admissible as prima facie evidence of the facts stated in the entry,

(c) a document purporting to be a record kept in pursuance of this Act, or purporting to be such a certified copy as referred to in paragraph (b), shall, unless the contrary is proved, be deemed to be such a record or certified copy, as the case may be,

(d) a document purporting to be a copy of a notice given by the Minister under this Act, and certified by the Minister or other prescribed officer to be a true copy of the notice, is admissible as prima facie evidence of the notice and its terms, and

(e) a written statement purporting to be signed by the Minister or other prescribed officer that a person has been appointed as an inspector or is an authorised person for the purposes of a section of this Act is admissible as prima facie evidence of that fact.

59 Evidence of analysts

(1) The Minister may, by instrument in writing, appoint appropriately qualified persons to be analysts for the purposes of this Act.

(2) Subject to subsection (4), a certificate of an analyst appointed under subsection (1) stating that the analyst has analysed or examined a substance and stating the result of the analysis or examination is admissible in evidence in any proceeding for an offence against a provision of this Act as prima facie evidence of the facts stated in the certificate and of the correctness of the result of the analysis or examination.

(3) For the purposes of this section, a document purporting to be a certificate referred to in subsection (2) shall, unless the contrary is proved, be deemed to be such a certificate.

(4) A certificate referred to in subsection (2) shall not be received in evidence in pursuance of that subsection unless the person charged has been given a copy of the certificate together with reasonable notice of the intention of the prosecution to produce the certificate as evidence in the proceedings.

(5) Where, in pursuance of subsection (2), a certificate of an analyst appointed under subsection (1) is admitted in evidence, the person charged may require the analyst to be called as a witness for the prosecution and the analyst may be cross-examined as if the analyst had given evidence of the matters stated in the certificate.

60 Immunity of inspectors

No liability shall attach to:

(a) an inspector, or

(b) any person acting with the authority or on the direction of an inspector or the Minister,

in respect of anything done or omitted in good faith and in the exercise or purported exercise of a power or in the discharge or purported discharge of a duty under this Act.

61 Regulations

(1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that is:

(a) required or permitted by this Act to be prescribed, or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act,

and, in particular:

(c) for and in relation to giving effect to the Convention, other than provisions of the Convention to which effect is given by a provision of this Act,

(d) empowering the Minister to make orders for and in relation to:

(i) giving effect to the Convention, other than provisions of the Convention to which effect is given by a provision of this Act, and

(ii) the fixing of fees to be paid in respect of any matters under the orders,

(d1) for or with respect to preventing or regulating the pollution of State or other

waters by vessels or by facilities used for loading, unloading, berthing or other operations of vessels,

(d2) for or with respect to the installation and operation on vessels in particular State waters or other waters of toilet and other waste control facilities,

(e) fixing fees to be paid in respect of any matters under this Act,

(f) prescribing penalties, not exceeding 100 penalty units, for a contravention of a provision of the regulations or of any of the orders made in pursuance of the regulations,

(g) so as to apply:

(i) generally or in a particular class of case or in particular classes of case, and

(ii) throughout the State and all State waters or in a prescribed part or prescribed parts of the State or State waters, and

(h) exempting, either absolutely or subject to conditions, a prescribed ship or person, or ships or persons included in a prescribed class of ships or persons, from all or any of the provisions of this Act or of the regulations.

(2) If the Convention is amended, other than by an amendment objected to by Australia, the Governor may by regulation:

(a) amend Schedule 1 or Schedule 2, or

(b) add a further schedule or schedules,

in order that the schedules may contain relevant parts of the Convention as in force from time to time.

(3) A regulation referred to in subsection (1) (d1) or (d2) does not prevail over any inconsistent environment protection legislation (within the meaning of the *Protection of the Environment Administration Act 1991*).

62 Orders

(1) Sections 30, 39, 40 and 41 of the *Interpretation Act 1987* apply in relation to orders made in pursuance of the regulations as if references in those sections to statutory rules were references to such orders and references in those sections to an Act included a reference to regulations.

(2) Unless the contrary intention appears, expressions used in orders made in pursuance of the regulations have the same meanings as in this Act.

(3) Orders made in pursuance of the regulations shall be read subject to this Act and the regulations and so as not to exceed the power conferred by this Act and the regulations to the intent that, where such orders would, but for this subsection, have been construed as being in excess of the power conferred by this Act and the regulations, they shall be deemed to be valid orders to the extent to which they are not in excess of the power conferred by this Act and the regulations.

(4) Where an order made in pursuance of the regulations is inconsistent with a provision of this Act or the regulations, the latter shall prevail and the former shall, to the extent of the inconsistency, be of no force or effect.

63 Prescribing matters by reference to other instruments

(1) The regulations or orders under this Act may make provision for or in relation to a matter by applying, adopting, or incorporating either wholly or in part or with modifications, any regulations, rules, codes, orders, instructions or other subordinate legislation made, determined or issued under any other Act or under any Act of the Parliament of the Commonwealth.

(2) The regulations made under this Act may make provision for or in relation to a matter by applying, adopting or incorporating any matter contained in orders made in pursuance of the regulations.

(3) Nothing in this section affects the operation of section 42 of the *Interpretation Act 1987*.

64 Repeals, savings and transitional

(1) Each Act specified in Part 1 of Schedule 6 is repealed.

(2) Part 2 of Schedule 6 has effect.

Schedule 1

Section 3

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,

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

RECOGNIZING 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 coastal environment from pollution,

DESIRING to achieve the complete elimination of intentional pollution of the marine environment by oil and other harmful substances and the minimization of accidental discharge of such substances,

CONSIDERING that this object may best be achieved by establishing rules not limited to oil pollution having a universal purport,

HAVE AGREED as follows:

ARTICLE 1 General Obligations under the Convention

(1) The Parties to the Convention undertake to give 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 substances in contravention of the present Convention.

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

ARTICLE 2 Definitions

For the purposes 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 introduced 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 effluents 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 Wastes 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 purposes 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 exploration 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 effluents containing such a substance.

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

ARTICLE 3 Application

(1) The present Convention shall apply to:

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

(b) ships not entitled to fly the flag of a 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 purposes of exploration and exploitation of their natural resources.

(3) The present Convention shall not apply to any warship, naval auxiliary or other ship owned or 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, so far as is reasonable and practicable, with the present Convention.

ARTICLE 4 Violation

(1) Any violation of the requirements of the present Convention shall be prohibited and sanctions shall be established therefor under the law of the Administration of the ship concerned wherever 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 therefor under the law of that Party. Whenever such a violation occurs, that Party shall either:

(a) cause proceedings 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 Organization, 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.

ARTICLE 5 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 authorized 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 authorized 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.

(4) 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 law as soon as possible. The

Administration shall promptly inform the Party which has reported the alleged violation, as well as the Organization, of the action taken.

(5) A Party may also inspect a ship to which the present Convention applies when it enters the ports or 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 I 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 Organization with complete details of such arrangements for circulation to other Parties and Member States of the Organization.

(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 Organization 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 Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C(XXV) 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 Organization:

(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 authorized 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 standardized by the Organization, of penalties actually imposed for infringement of the present Convention.

(2) The Organization shall notify Parties of the receipt of any communications under the present Article and circulate to all Parties any information communicated to it under sub-paragraphs (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 deleterious effect upon the marine environment.

(2) Each Party to the Convention undertakes to supply the Organization with information concerning the findings of such investigation, when it judges that such information may assist in determining what changes 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 Organization 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 Organization.

(3) The Secretary-General of the Organization 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 any one or all of Annexes III, IV and V (hereinafter referred to as " **"Optional Annexes"** ") to 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 Organization an instrument of the kind referred to in Article 13 (2) of the present Convention.

(3) A State which makes a declaration 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 Organization 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 fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have become parties to it in accordance with Article 13 of the present Convention.

(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 Organization 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) Amendments after consideration by the Organization:

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

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

(c) Parties to the Convention, whether or not Members of the Organization, 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 sub-paragraph (d) of this paragraph, amendments shall be communicated by the Secretary-General of the Organization 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 per cent of the gross tonnage of the world's 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 sub-paragraph (f) (iii) of this paragraph 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 per cent of the gross tonnage of the world's 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 Organization 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 communicated to the Organization by not less than one-third of the Parties or by Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet whichever condition is fulfilled;

(iv) an amendment to Protocol I to the Convention shall be subject to the same procedures as for the amendments to the Annexes to the Convention, as provided for in sub-paragraphs (f) (ii) or (f) (iii) of this paragraph;

(v) an amendment to Protocol II to the Convention shall be subject to the same procedures as for the amendments to an Article of the Convention, as provided for in sub-paragraph (f) (i) of this paragraph;

(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 II, or to Protocol I or to an Annex to the Convention not under the procedure specified in sub-paragraph (f) (iii) of this paragraph, the amendment accepted in conformity with the foregoing provisions shall enter into 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 I, to an Appendix to an Annex or to an Annex to the Convention under the procedure specified in sub-paragraph (f) (iii) of this paragraph, 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 sub-paragraph (f) (ii) of this paragraph, that their express approval is necessary.

(3) Amendment by a Conference:

(a) Upon the request of a Party, concurred in by at least one-third of the Parties, the Organization 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 Organization 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 sub-paragraphs (2) (f) and (g) of the present Article.

(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 Organization shall inform all Parties of any amendments which enter 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 Organization. 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 Organization 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 Organization 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 Organization 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 Organization 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 Organization to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the 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.

IN WITNESS WHEREOF the undersigned* being duly authorized by their respective Governments for that purpose have signed the present Convention.

* Signatures omitted

DONE AT LONDON this second day of November, one thousand nine hundred and seventy-three.

PROTOCOL I – PROVISIONS CONCERNING REPORTS ON INCIDENTS INVOLVING HARMFUL SUBSTANCES

Article I Duty to Report

(1) The Master of the ship involved in an incident referred to in Article III of this Protocol, or other person having charge of the ship, 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 the present Article being abandoned, or in the event of a report from such ship being incomplete or unobtainable, the owner, charterer, 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 Methods of Reporting

(1) Each report shall be made by radio whenever possible, but in any case by the fastest channels available at the time the report is made. Reports made by radio shall be given the highest possible priority.

(2) Reports shall be directed to the appropriate officer or agency specified in paragraph (2) (a) of Article 8 of the Convention.

Article III When to make Reports

The report shall be made whenever an incident involves:

(a) a discharge other than as permitted under the present Convention; or

(b) a discharge permitted under the present Convention by virtue of the fact that:

(i) it is for the purpose of securing the safety of a ship or saving life at sea; or

(ii) it results from damage to the ship or its equipment; or

(c) a discharge of a harmful substance for the purpose of combating a specific pollution incident or for purposes of legitimate scientific research into pollution abatement or control; or

(d) the probability of a discharge referred to in sub-paragraphs (a), (b) or (c) of the present Article.

Article IV Contents of Report

(1) Each report shall contain in general:

(a) the identity of the ship;

(b) the time and date of the occurrence of the incident;

(c) the geographic position of the ship when the incident occurred;

(d) the wind and sea conditions prevailing at the time of the incident; and

(e) relevant details respecting the condition of the ship.

(2) Each report shall contain, in particular:

(a) a clear indication or description of the harmful substances involved, including, if possible, the correct technical names of such substances (trade names should not be used in place of the correct technical names);

(b) a statement or estimate of the quantities; concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea; and
(c) where relevant, a description of the packaging and identifying marks; and
(d) if possible, the names of the consignor, consignee or manufacturer.

(3) Each report shall clearly indicate whether the harmful substance discharged, or likely to be discharged is oil, a noxious liquid substance, a noxious solid substance or a noxious gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.

(4) Each report shall be supplemented as necessary by any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Article V 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, with information concerning further developments; and
(b) comply as fully as possible with requests from affected States for additional information concerning the incident.

PROTOCOL II – ARBITRATION

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 Organization 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 its 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 of sixty days from the nomination of the second Arbitrator, the Chairman of the Tribunal shall not have been nominated, the Secretary-General of the Organization upon request of either Party shall within a further period of sixty days proceed to such nomination, selecting him from a list of qualified persons previously drawn up by the Council of the Organization.

(2) If, within a period of sixty 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 Organization who shall nominate the Chairman of the Tribunal within a period of sixty 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 Organization 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 sixty days from the date of decease or default. Should the said Party not make the nomination, the arbitration shall proceed under the remaining Arbitrators. 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 sixty days of the decease or default, according to the provisions of the present Article.

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 of the 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 Organization. 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.

Annex I – REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

CHAPTER 1 – GENERAL

Regulation 1 – Definitions

For the purposes of this Annex:

(1) " **"Oil"** " means petroleum in any form including crude oil, fuel oil, sludge, oil refuse, and refined products (other than petrochemicals 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 connexion 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 30 June 1976; or

(iii) which is completed after 31 December 1979.

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

(8) " **"Major conversion"** " means a conversion of an existing ship:

(a) which substantially alters the dimensions or carrying capacity of the ship; or

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

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

(d) 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.

(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 11Â°00â€²South, longitude 142Â°08â€²East to a point in latitude 10Â°35â€²South,

longitude 141Â°55â€²East, thence to a point latitude 10Â°00â€²South,

longitude 142Â°00â€²East, thence to a point latitude 9Â°10â€²South,

longitude 143Â°52â€²East, thence to a point latitude 9Â°00â€²South, longitude 144Â°30â€²East, thence to a point latitude 13Â°00â€²South, longitude 144Â°00â€²East, thence to a point latitude 15Â°00â€²South, longitude 146Â°00â€²East, thence to a point latitude 18Â°00â€²South, longitude 147Â°00â€²East, thence to a point latitude 21Â°00â€²South, longitude 153Â°00â€²East, thence to a point on the coast of Australia in latitude 24Â°42â€²South, longitude 153Â°15â€²East.

(10) " **"Special area"** " means a sea area where for recognized technical reasons in relation to its oceanographical and ecological condition and 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 litres 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 drainings, tank washings 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 therefrom 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 on adjoining shorelines or cause a sludge or 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 oil 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 per cent of the total length on a waterline at 85 per cent 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 metres.

(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 metres.

(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 the assigned summer freeboard and the lightweight of the ship.

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

Regulation 2 – Application

(1)

Unless expressly provided otherwise, the provisions of this Annex shall apply to all ships.

(2)

In ships other than oil tankers fitted with cargo spaces which are constructed and utilized to carry oil in bulk of an aggregate capacity of 200 cubic metres or more, the requirements of Regulations 9, 10, 14, 15 (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 requirements of Regulation 15 (4) of this Annex may apply in lieu of Regulation 15 (1), (2) and (3).

(3)

Where a cargo subject to the provisions of Annex II of the present Convention is carried in a cargo space of an oil tanker, the appropriate requirements of Annex II 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 II and III 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 Organization particulars of same and the reasons therefor, which the Organization 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 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 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.

(2)

The Administration which allows a fitting, material, appliance or apparatus, as an alternative to that required by this Annex shall communicate to the Organization 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 tons gross tonnage and above, and every other ship of 400 tons gross

tonnage and above shall be subjected to the surveys specified below:

(a) An initial survey before the ship is put in service or before the Certificate required under Regulation 5 of this Annex is issued for the first time, which shall include a complete survey of its structure, equipment, fittings, arrangements 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, fittings, arrangements and material fully comply with the applicable requirements of this Annex.
(b) Periodical surveys at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, fittings, arrangements and material fully comply with the applicable requirements of this Annex. However, where the duration of the International Oil Pollution Prevention Certificate (1973) is extended as specified in Regulation 8 (3) or (4) of this Annex, the interval of the periodical survey may be extended correspondingly.
(c) Intermediate surveys at intervals specified by the Administration but not exceeding thirty months, which shall be such as to ensure that the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, oily-water separating equipment and oil filtering systems, fully comply with the applicable requirements of this Annex and are in good working order. Such intermediate surveys shall be endorsed on the International Oil Pollution Prevention Certificate (1973) issued under Regulation 5 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)
Surveys of the ship as regards 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 organizations recognized by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the surveys.

(4)
After any survey of the ship under this Regulation has been completed, no significant change shall be made in the structure, equipment, fittings, arrangements or material covered by the survey without the sanction of the Administration, except the direct replacement of such equipment or fittings.

Regulation 5 – Issue of Certificate

(1)
An International Oil Pollution Prevention Certificate (1973) shall be issued, after survey in accordance with the provisions of Regulation 4 of this Annex, to any oil tanker of 150 tons gross tonnage and above and any other ships of 400 tons gross tonnage and above which are engaged in voyages to ports or off-shore terminals under the jurisdiction of other Parties to the Convention. In the case of existing ships this requirement shall apply twelve months after the date of entry into force of the present Convention.

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

Regulation 6 – Issue 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 authorize the issue of an International Oil Pollution Prevention Certificate (1973) to 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 force and receive the same recognition as the Certificate issued under Regulation 5 of this Annex.

(4)

No International Oil Pollution Prevention Certificate (1973) shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

Regulation 7 – Form of Certificate

The International Oil Pollution Prevention Certificate (1973) shall be drawn up in an official language of the issuing country in the form corresponding to the model given in Appendix II to this Annex. If the language used is neither English nor French, the text shall include a translation into one of these languages.

Regulation 8 – Duration of Certificate

(1)

An International Oil 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 paragraph (2), (3) and (4) of this Regulation.

(2)

If a ship at the time when the Certificate expires is not in a port or off-shore terminal 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 entitled to fly or in which it is to 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 on its arrival in the State whose flag it is entitled 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 one 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 construction,

equipment, fittings, arrangements, or material required without the sanction of the Administration, except the direct replacement of such equipment or fittings, or if intermediate surveys as specified by the Administration under Regulation 4 (1) (c) of this Annex are not carried out.

(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 a 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 a 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 formerly 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 the relevant survey report.

CHAPTER II – REQUIREMENTS FOR CONTROL OF OPERATIONAL POLLUTION

Regulation 9 – Control of Discharge of Oil
(1)
Subject to the provisions 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 sub-paragraph (b) of this paragraph:
(i) the tanker is not within a special area;
(ii) the tanker is more than 50 nautical miles from the nearest land;
(iii) the tanker is proceeding en route;
(iv) the instantaneous rate of discharge of oil content does not exceed 60 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 new tankers 1/30,000 of the total quantity of the particular cargo of which the residue formed a part; and
(vi) the tanker has in operation, except as provided for in Regulation 15 (5) and (6) of this Annex, an oil discharge monitoring and 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 an 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 more than 12 nautical miles from the nearest land;
(iii) the ship is proceeding en route;
(iv) the oil content of the effluent is less than 100 parts per million; and
(v) the ship has in operation an oil discharge monitoring and control system, oily-water separating equipment, oil filtering system or other installation as required by Regulation 16 of this Annex.

(2)
In the case of a ship of less than 400 tons gross tonnage other than an oil tanker whilst outside

the special area, the Administration shall ensure that it is equipped as far as practicable and reasonable with installations to ensure the storage of oil residues on board and their discharge to reception facilities or into the sea in compliance 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, 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 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. The provisions of sub-paragraph (1) (b) of this Regulation shall not apply to the discharge of oily mixture which without dilution has an oil content not exceeding 15 parts per million.

(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.

Regulation 10 – Methods for the Prevention of Oil Pollution from Ships while operating in Special Areas
(1)
For the purposes of this Annex the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area and the Gulfs area 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 41Â°N parallel and bounded to the west by the Straits of Gibraltar at the meridian of 5Â°36â€²W.
(b) The Baltic Sea area means the Baltic Sea proper with the 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 57Â°44.8â€²N.
(c) The Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41Â°N.
(d) The Red Sea area means the Red Sea proper including the Gulfs of Suez and the Aqaba bounded at the south by the rhumb line between Ras si Ane (12Â°8.5â€²N, 43Â°19.6â€²E) and Husn Murad (12Â°40.4â€²N, 43Â°30.2â€²E).
(e) The Gulfs area means the sea area located north west of the rhumb line between Ras al Hadd (22Â°30â€²N, 59Â°48â€²E) and Ras Al Fasteh (25Â°04â€²N, 61Â°25â€²E).

(2)
(a) Subject to the provisions of Regulation 11 of this Annex, 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 an oil tanker shall be prohibited, while in a special area.

(b) Such ships while in a special area shall retain on board all oil drainage and sludge, dirty ballast and tank washing waters and discharge them only to reception facilities.

(3)

(a) Subject to the provisions of Regulation 11 of this Annex, any discharge into the sea of oil or oily mixture from a ship of less than 400 tons gross tonnage, other than an oil tanker, shall be prohibited while in a special area, except when the oil content of the effluent without dilution does not exceed 15 parts per million or alternatively when all of the following conditions are satisfied:

(i) the ship is proceeding en route;

(ii) the oil content of the effluent is less than 100 parts per million; and

(iii) the discharge is made as far as practicable from the land, but in no case less than 12 nautical miles from the nearest land.

(b) 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.

(c) The oil residues which cannot be discharged into the sea in compliance with sub-paragraph (a) of this paragraph shall be retained on board or discharged to reception facilities.

(4)

The provisions of this Regulation shall not apply to the discharge of clean or segregated ballast.

(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 areas:

(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 1 January 1977 all oil loading terminals and repair ports 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 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 undertakes to ensure the provision of the facilities referred to in sub-paragraph (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 on any of the special areas 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 respect of the special areas in question shall take effect:

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

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

(iv) After 1 January 1977, or the date established in accordance with sub-paragraph (a) (iii) of this paragraph if earlier, each Party shall notify the Organization for transmission to the Contracting Governments concerned of all cases where the facilities are alleged to be inadequate.

(b) Red Sea area and Gulfs area:

(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 tankers. 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 sub-paragraph (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 Organization of the measures taken pursuant to provisions of sub-paragraph (b) (i) and (ii) of this paragraph. Upon receipt of sufficient notifications the Organization shall establish a date from which the requirements of this Regulation in respect of the area in question shall take effect. The Organization shall notify all Parties of the date so established no 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 requirements for the special area in question take effect, each Party shall notify the Organization 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.

Regulation 11 – Exceptions

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 a 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 minimizing 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 minimize 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, repair ports, and in other ports in which ships have oily residues to discharge, of facilities for the reception of such residues and oily mixtures as remain from oil tankers and other ships adequate to meet the needs of the ships 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 facilities;

(d) all ports and terminals which handle 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 of this Annex; and

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

(3)

The capacity for the reception facilities shall be as follows:

(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 of Regulation 9 (1) (a) of this Annex from all oil tankers on voyages 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 which cannot be discharged in accordance with the provisions of Regulation 9 (1) (a) of this Annex from oil tankers which load oil other than crude oil in bulk.

(c) All ports having ship repair yards or tank cleaning facilities shall have sufficient reception facilities to receive all residues and oily mixtures which remain on board for disposal from ships prior to entering 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 1 January 1977, whichever occurs later.

(5)
Each Party shall notify the Organization for transmission to the Parties concerned of all cases where the facilities provided under this Regulation are alleged to be inadequate.

Regulation 13 – Segregated Ballast Oil Tankers

(1)
Every new oil tanker of 70,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with the requirements 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 oil tanks for water ballast except as provided for in paragraph (3) 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 metres (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 perpendiculars shall correspond to those determined by the draught amidships (dm), as specified in sub-paragraph (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 oil tanks except in weather conditions so severe that, in the opinion of the Master, it is necessary to carry additional ballast water in oil tanks for the safety of the ship. Such additional ballast water shall be processed and discharged in compliance with Regulation 9 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.

(4)
Any oil tanker which is not required to be provided with segregated ballast tanks in accordance with paragraph (1) of this Regulation may, however, be qualified as a segregated ballast tanker,

provided that in the case of an oil tanker of 150 metres in length and above it fully complies with the requirements of paragraphs (2) and (3) of this Regulation and in the case of an oil tanker of less than 150 metres in length the segregated ballast conditions shall be to the satisfaction of the Administration.

Regulation 14 – Segregation of Oil and Water Ballast

(1)

Except as provided in paragraph (2) of this Regulation, in new ships of 4,000 tons gross tonnage and above other than oil tankers, and in new oil tankers of 150 tons 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 be made in the Oil Record Book to this effect.

(3)

All other ships shall comply with the requirements of paragraph (1) of this Regulation as far as 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 tons gross tonnage and above shall be provided with arrangements in accordance with the requirements of paragraphs (2) and (3) of this Regulation, provided that in the case of existing tankers the requirements for oil discharge monitoring and control systems and slop tank arrangements 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 washings 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 will be such as to comply with the provisions 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 the slops generated by tank washing, oil residues and dirty ballast residues but the total shall be not less than 3 per cent of the oil carrying capacity of the ship, except that, where segregated ballast tanks are provided in accordance with Regulation 13 of this Annex, or where arrangements such as eductors involving the use of water additional to the washing water are not fitted, the Administration may accept 2 per cent. New oil tankers over 70,000 tons deadweight shall be provided with at least two slop tanks.

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

(3)

(a) An oil discharge monitoring and control system approved by the Administration shall be fitted. In considering the design of the oil content meter to be incorporated in the

system, the Administration shall have regard to the specification recommended by the Organization.* The system shall be fitted with a recording device to provide a continuous record of the discharge in litres per 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 effluent into the sea and shall be such as will ensure that 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 before the oil tanker commences its next ballast voyage unless it is proceeding to a repair port. Existing oil tankers shall comply with all of the provisions specified above except that the stopping of the discharge may be performed manually and the rate of discharge may be estimated from the pump characteristic.

(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 operational 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 discharged except in compliance with the conditions specified in Regulation 9 of this Annex.**

*Reference is made to the recommendation on International Performance Specifications for Oily-Water Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.233 (VII).

**Reference is made to "Clean Seas Guide for Oil Tankers", published by the International Chamber of Shipping and the Oil Companies International Marine Forum.

(4)

The requirements of paragraphs (1), (2) and (3) of this Regulation shall not apply to oil tankers of less than 150 tons 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 washings 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 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 discharged into the sea is effectively monitored to ensure that the provisions of Regulation 9 of this Annex are complied with.

(5)

The Administration may waive the requirements of paragraphs (1), (2) and (3) of this Regulation for any oil tanker which engages exclusively on voyages both of 72 hours or less in duration and within 50 miles from the nearest land, provided that the oil tanker is not required to hold and does not hold an International Oil Pollution Prevention Certificate (1973). Any such 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 facilities available to receive such oily mixtures are adequate.

(6)

Where in the view of the Organization equipment required by Regulation 9 (1) (a) (vi) of this

Annex and specified in sub-paragraph (3) (a) of this Regulation is not obtainable for the monitoring of discharge of light refined products (white oils), the Administration may waive compliance with such requirement, provided that discharge shall be permitted only in compliance with procedures established by the Organization which shall satisfy the conditions of Regulation 9 (1) (a) of this Annex except the obligation to have an oil discharge monitoring and control system in operation. The Organization shall review the availability 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, for which the control of discharge of asphalt under Regulation 9 of this Annex shall be effected by the retention of asphalt residues on board with discharge of all contaminated washings to reception facilities.

Regulation 16 – Oil Discharge Monitoring and Control System and Oily-Water Separating Equipment

(1)
Any ship of 400 tons gross tonnage and above shall be fitted with an oily-water separating equipment or filtering system complying with the provisions of paragraph (6) of this Regulation. Any such ship which carries large quantities of oil fuel shall comply with paragraph (2) of this Regulation or paragraph (1) of Regulation 14.

(2)
Any ship of 10,000 tons gross tonnage and above shall be fitted:

(a) in addition to the requirements of paragraph (1) of this Regulation with an oil discharge monitoring and control system complying with paragraph (5) of this Regulation; or
(b) as an alternative to the requirements of paragraph (1) and sub-paragraph (2) (a) of this Regulation, with an oily-water separating equipment complying with paragraph (6) of this Regulation and an effective filtering system, complying with paragraph (7) of this Regulation.

(3)
The Administration shall ensure that ships of less than 400 tons gross tonnage are equipped, as far as practicable, to retain on board oil or oily mixtures or discharge them in accordance with the requirements of Regulation 9 (1) (b) of this Annex.

(4)
For existing ships the requirements of paragraphs (1), (2) and (3) of this Regulation shall apply three years after the date of entry into force of the present Convention.

(5)
An oil discharge monitoring and control system shall be of a design approved by the Administration. In considering the design of the oil content meter to be incorporated into the system, the Administration shall have regard to the specification recommended by the Organization.* The system shall be fitted with a recording device to provide a continuous record of the oil content in parts per million. This record shall be identifiable as to time and date and shall be kept for at least three years. The monitoring and control system shall come into operation when there is any discharge of effluent into the sea and shall be such as will ensure that any discharge of oily mixture is automatically stopped when the oil content of effluent exceeds that permitted by Regulation 9 (1) (b) of this Annex. Any failure of this monitoring and control system shall stop the discharge and be noted in the Oil Record Book. The defective unit shall be made operable before the ship commences its next voyage unless it is proceeding to a repair port.

Existing ships shall comply with all of the provisions specified above except that the stopping of the discharge may be performed manually.

(6)
Oily-water separating equipment or an oil filtering system shall be of a design approved by the Administration and shall be such as will ensure that any oily mixture discharged into the sea after passing through the separator or filtering systems shall have an oil content of not less than 100 parts per million. In considering the design of such equipment, the Administration shall have regard to the specification recommended by the Organization.*

*Reference is made to the Recommendation on International Performance Specifications for Oily-Water Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.233 (VII).

(7)
The oil filtering system referred to in paragraph (2) (b) of this Regulation shall be of a design approved by the Administration and shall be such that it will accept the discharge from the separating system and produce an effluent the oil content of which does not exceed 15 parts per million. It shall be provided with alarm arrangements to indicate when this level cannot be maintained.

Regulation 17 – Tanks for Oil Residues (Sludge)
(1)
Every ship of 400 tons gross tonnage and above shall be provided with a tank or tanks of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oily residues (sludges) 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 leakages 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.

Regulation 18 – Pumping, Piping and Discharge Arrangements of Oil Tankers
(1)
In every oil tanker, a discharge manifold for connexion 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 effluent which may be permitted under Regulation 9 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 sub-paragraphs (4) (a) and (b) of this Regulation may be accepted.

(3)
In new oil tankers means shall be provided for stopping the discharge of effluent into the sea from a position on upper deck or above located so that the manifold in use referred to in paragraph (1) of this Regulation and the effluent from the pipelines 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 telephone or

radio system is provided between the observation position and the discharge control position.

(4)
All discharges shall take place above the waterline except as follows:

(a) Segregated ballast and clean ballast may be discharged below the waterline in ports or at off-shore terminals.
(b) Existing ships which, without modification, are not capable of discharging segregated ballast above the waterline may discharge segregated ballast below the waterline provided that an examination of the tank immediately before the discharge has established that no contamination with oil has taken place.

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	215 mm
Inner diameter	According to pipe outside diameter
Bolt circle diameter	183 mm
Slots in flange	6 holes 22 mm in diameter equidistantly placed on a bolt circle of the above diameter, slotted to the flange periphery. The slot width to be 22 mm
Flange thickness	20 mm
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 oilproof material, shall be suitable for a service pressure of 6 kg/cm 2.	

Regulation 20 – Oil Record Book
(1)
Every oil tanker of 150 tons gross tonnage and above and every ship of 400 tons gross tonnage and above other than an oil tanker shall be provided with an Oil Record Book, whether as part of the ship's official log book or otherwise, in the form specified in Appendix III to this Annex.

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

(a) For oil tankers
(i) loading of oil cargo;
(ii) internal transfer of oil cargo during voyage;
(iii) opening or closing before and after loading and unloading operations of valves or similar devices which inter-connect cargo tanks;
(iv) opening or closing of means of communication between cargo piping and seawater ballast piping;

(v) opening or closing of ships' side valves before, during and after loading and unloading operations;
(vi) unloading of oil cargo;
(vii) ballasting of cargo tanks;
(viii) cleaning of cargo tanks;
(ix) discharge of ballast except from segregated ballast tanks;
(x) discharge of water from slop tanks;
(xi) disposal of residues;
(xii) discharge overboard of bilge water which has accumulated in machinery spaces whilst in port, and the routine discharge at sea of bilge water which has accumulated in machinery spaces.

(b) For ships other than oil tankers

(i) ballasting or cleaning of fuel oil tanks or oil cargo spaces;
(ii) discharge of ballast or cleaning water from tanks referred to under (i) of this sub-paragraph;
(iii) disposal of residues;
(iv) discharge overboard of bilge water which has accumulated in machinery spaces whilst in port, and the routine discharge at sea of bilge water which has accumulated in machinery spaces.

(3)
In the event of such discharge of oil or oily mixture as is referred to in Regulation 11 of this Annex or in the event of accidental or other exceptional discharge of oil not excepted 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 section of the book shall be signed by the officer or officers in charge of the operations concerned and shall be countersigned by the Master of the ship. The entries in the Oil Record Book shall be in an official language of the State whose flag the ship is entitled to fly, and, for ships holding an International Oil Pollution Prevention Certificate (1973), 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.

(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 unmanned 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 off-shore 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 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 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 21 – Special Requirements for Drilling Rigs and other Platforms

Fixed and floating drilling rigs when engaged in the exploration, exploitation and associated off-shore processing of sea-bed mineral resources and other platforms shall comply with the requirements of this Annex applicable to ships of 400 tons gross tonnage and above other than oil tankers, except that:

(a) they shall be equipped as far as practicable with the installations 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) in any special area and 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 MINIMIZING OIL POLLUTION FROM OIL TANKERS DUE TO SIDE AND BOTTOM DAMAGES

Regulation 22 – Damage Assumptions

(1)

For the purpose of calculating hypothetical 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 stated portions of the oil tanker.

(a) Side damage

(i)	Longitudinal extent (l c):	â…“L 2/3 or 14.5 metres, whichever is less
(ii)	Transverse extent (t c): (inboard from the ship's side at right angles to the centreline at the level corresponding to the assigned summer freeboard)	or 11.5 metres,whichever is less,
(iii)	Vertical extent (v c):	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 (l s):		or 5metres, whichever is less
(ii)	Transverse extent (t s):	or 10metres, whichever is less but not less than 5 metres	5 metres
(iii)	Vertical extent from the base line (v s):	or 6metres, whichever 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 (O c) and bottom damage (O s) 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:

(I)

(b) for bottom damages:

(II)

where:

W 1	=	volume of a wing tank in cubic metres assumed to be breached by the damage as specified in Regulation 22 of this Annex; W 1 for a segregated ballast tank may be taken equal to zero,	
C 1	=	volume of a centre tank in cubic metres assumed to be breached by the damage as specified in Regulation 22 of this Annex; C 1 for a segregated ballast tank may be taken equal to zero,	
K 1	=		when b 1 is equal to or greater than t c, K 1 shall be taken equal to zero,
Z 1	=		when h 1 is equal to or greater than v s, Z 1 shall be taken equal to zero,
b 1	=	width of wing tank in metres under consideration measured inboard from the ship's side at right angles to the centreline at the level corresponding to the assigned summer freeboard,	
h 1	=	minimum depth of the double bottom in metres under consideration; where no double bottom is fitted h 1 shall be taken equal to zero.	

Whenever symbols given in this paragraph appear in this Chapter, they have the meaning as defined in this Regulation.

(2)

If a void space or segregated ballast tank of a length less than l c as defined in Regulation 22 of this Annex is located between wing oil tanks, O c in formula (I) may be calculated on the basis of volume W 1 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 S 1 as defined below and taking for all other wing tanks involved in such a collision the value of the actual full volume.

where **"l1"** = length in metres 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 h 1 provided such

wells are not excessive in area and 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 h 1, 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 valves or other closing arrangements located at the point of connexion to the tank served to prevent oil outflow in the event of damage to the piping. Such piping shall be installed as high from the bottom shell as possible. These valves 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 O s may be calculated according to the formula

(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 tankage if it can be assured that such tanks will have sufficient ullage. Credit for such a system would be governed by ability to 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 O s 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 v s. The Administration shall supply the Organization 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 provisions of this Regulation if such 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 cases 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 tankers shall be of such size and arrangements that the hypothetical outflow O c or O s 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 3 DW, whichever is the greater, but subject to a maximum of 40,000 cubic metres.

(3)

The volume of any one wing cargo oil tank of an oil tanker shall not exceed seventy-five per cent of the limits of the hypothetical oil outflow referred to in paragraph (2) of this Regulation. The volume of any one 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 l c in length, may be increased to the maximum limit of hypothetical oil outflow provided that the width of the wing tanks exceeds t c.

(4)
The length of each cargo tank shall not exceed 10 metres or one of the following values, whichever is the greater.

(a) where no longitudinal bulkhead is provided:
0.1L
(b) where a longitudinal bulkhead is provided at the centreline only:
0.15L
(c) where two or more longitudinal bulkheads are provided:
(i) for wing tanks:
0.2L
(ii) for centre tanks:
(1) if is equal to or greater than :
0.2L
(2) if is less than :
-- where no centreline longitudinal bulkhead is provided:
-- where a centreline longitudinal bulkhead is provided:

(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 inter-connects 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 t c from the ship's side or less than v c 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 valves 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 – Subdivision 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 reflecting actual partial or full load condition consistent with trim and strength of the ship as well as specific gravities of the cargo. Such damage shall be applied to all conceivable locations 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 not exceeding 225 metres in length, anywhere in the ship's length except involving either after or forward bulkhead bounding the machinery space located aft. The machinery space shall be treated as a single floodable compartment;
(c) in tankers not exceeding 150 metres in length, anywhere in the ship's length between adjacent transverse 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 residues shall not be considered.

(2)

The following provisions regarding the extent and the character of the assumed damage shall apply:

(a) The extent of side or bottom damage shall be as specified in Regulation 22 of this Annex, except that the longitudinal extent of bottom damage within 0.3L from the forward perpendicular shall be the same as for side damage, as specified in Regulation 22 (1) (a) (i) of this Annex. If any damage of lesser extent results in a more severe condition such damage shall be assumed.

(b) Where the damage involving transverse bulkheads is envisaged as specified in sub-paragraphs (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 sub-paragraph (a) of this paragraph in order to be considered effective. Where transverse bulkheads are spaced 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.

(c) Where the damage between adjacent transverse watertight bulkheads is envisaged as specified in sub-paragraph (1) (c) of this Regulation, no main transverse bulkhead or a transverse bulkhead bounding side tanks or double bottom tanks shall be assumed damaged, unless:

(i) the spacing of the adjacent bulkheads is less than the longitudinal extent of assumed damage specified in sub-paragraph (a) of this paragraph; or

(ii) there is a step or a recess 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.

(d) 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 compartments other than those assumed to be floodable for each case of damage.

(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 sinkage, 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 weathertight doors or hatch covers and may exclude those openings 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 operated watertight sliding doors, and side scuttles of the non-opening type.

(b) In the final stage of flooding, the angle of heel due to unsymmetrical flooding shall not exceed 25 degrees, provided that this angle may be increased up to 30 degrees if no 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 0.1 metre. The Administration shall give consideration to the potential hazard presented

by protected or unprotected openings which may become temporarily immersed within the range of residual stability.
(d) The Administration shall be satisfied that the stability is sufficient during intermediate stages of flooding.

(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 damaged 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, as well as any outflow of liquids from damaged compartments.
(b) The permeabilities are assumed as follows:

Spaces	Permeability
Appropriated to stores	0.60
Occupied by accommodation	0.95
Occupied by machinery	0.85
Voids	0.95
Intended for Consumable liquids	0 or 0.95*
Intended for other liquids	0 to 0.95â€

*Whichever results in the more severe requirements.â€ The permeability of partially filled compartments shall be consistent with the amount of liquid carried.
(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 are separated from the damaged space by watertight bulkheads and the requirements of sub-paragraph (3) (a) of this Regulation in respect of these intact spaces are complied with. Hinged watertight doors may be acceptable in watertight bulkheads in the superstructure.
(d) The free surface effect 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 calculating the effect of free surfaces of consumable liquids it shall be assumed that, for each type of liquid at least one transverse pair or a single centreline tank has a free surface and the tank or combination of tanks to be taken into account shall be those where the effect of free surfaces is the greatest.

(5)

The Master of every 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 form 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 sub-paragraph (1) (c) of this Regulation.

Appendix I

LIST OF OILS*

Asphalt solutions	Gasoline Blending

	Stocks
Blending Stocks	Alkylates--fuel
Roofers Flux	Reformates
Straight Run Residue	Polymer--fuel
Oils	Gasolines
Clarified	Casinghead (natural)
Crude Oil	Automotive
Mixtures containing crude oil	Aviation
Diesel Oil	Straight Run
Fuel Oil No 4	Fuel Oil No 1 (Kerosene)
Fuel Oil No 5	Fuel Oil No 1-D
Fuel Oil No 6	Fuel Oil No 2
Residual Fuel Oil	Fuel Oil No 2-D
Road Oil	Jet Fuels
Transformer Oil	JP-1 (Kerosene)
Aromatic Oil (excluding vegetable oil)	JP-3
Lubricating Oils and Blending Stocks	JP-4
Mineral Oil	JP-5 (Kerosene, Heavy)
Motor Oil	Turbo Fuel
Penetrating Oil	Kerosene
Spindle Oil	Mineral Spirit
Turbine Oil	Naphtha
Distillates	Solvent
Straight Run	Petroleum
Flashed Feed Stocks	Heartcut Distillate Oil
Gas Oil	
Cracked	

*The list of oils shall not necessarily be considered as comprehensive.

Appendix II
FORM OF CERTIFICATE
INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (1973)

Issued under the Provisions 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 organization authorized under the provisions of the

Name of Ship	Distinctive Number or Letter	Port of Registry	Gross Tonnage

Type of ship:

Oil tanker, including combination carrier*
Asphalt carrier*
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*

New/existing ship*

Date of building or major conversion contract

Date on which keel was laid or ship was at a similar stage of construction or on which major conversion was commenced

Date of delivery or completion of major conversion

FORM OF CERTIFICATE
PART A ALL SHIPS

The ship is equipped with:

for ships of 400 tons gross tonnage and above:
(a) oily-water separating equipment* (capable of producing the effluent with oil content not exceeding 100 parts per million) or
(b) an oil filtering system* (capable of producing the effluent with oil content not exceeding 100 parts per million)
for ships of 10,000 tons gross tonnage and above:
(c) an oil discharge monitoring and control system* (additional to (a) or (b) above) or
(d) oily-water separating equipment and an oil filtering system* (capable of producing the effluent with oil content not exceeding 15 parts per million) in lieu of (a) or (b) above.

*Delete as appropriate.

Particulars of requirements from which exemption is granted under Regulation 2 (2) and 2 (4) (a) of Annex I of the Convention:

Remarks:

FORM OF CERTIFICATE
PART B OIL TANKER 1 2

Deadweightmetric tons. Length of shipmetres

It is certified that this ship is:

(a) required to be constructed according to and complies with 3
(b) not required to be constructed according to 3
(c) not required to be constructed according to, but complies with 3

the requirements of Regulation 24 of Annex I of the Convention.

This Part should be completed for oil tankers including combination carriers and asphalt carriers, and those entries which are applicable should be completed for ships other than oil tankers which are constructed and utilized to carry oil in bulk of an aggregate capacity of 200 cubic metres or above.

2
Part B need not be reproduced on a Certificate issued to any ship other than those referred to in footnote 1.

3
Delete as appropriate.

The capacity of segregated ballast tanks iscubic metres and complies with the requirements of Regulation 13 of Annex I of the Convention.

The segregated ballast is distributed as follows:

Tank	Quantity	Tank	Quantity

THIS IS TO CERTIFY:

That the ship has been surveyed in accordance with Regulation 4 of Annex I of the *International Convention for the Prevention of Pollution from Ships, 1973*, concerning the prevention of pollution by oil; and
That the survey shows that the structure, equipment, fittings, arrangement 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 I of the Convention.

This Certificate is valid until

subject to intermediate survey(s) at intervals of

Issued at

(place of issue of Certificate)

19

	(Signature of duly authorized official issuing the Certificate)
	(Seal or stamp of the issuing Authority, as appropriate)

* End of Part B.

Endorsement for existing ships. 4

This is to certify that this ship has been so equipped as to comply with the requirements of the *International Convention for the Prevention of Pollution from Ships, 1973* as relating to existing ships three years from the date of entry into force of the Convention.

	Signed(Signature of duly authorized official)
	Place of endorsement
	Date of endorsement
	(Seal or stamp of the Authority, as appropriate)

4 This entry need not be reproduced on a Certificate other than the first Certificate issued to any ship.

FORM OF CERTIFICATE
Intermediate survey

This is to certify that at an intermediate survey required by Regulation 4 (1) (c) of Annex I of the Convention, this ship and the condition thereof are found to comply with the relevant provisions of the Convention.

	Signed(Signature of duly authorized official)
	Place
	Date
	(Seal or stamp of the Authority, as appropriate)
	Signed(Signature of duly authorized official)
	Place
	Date
	(Seal or stamp of the Authority, as appropriate)

Under the provisions of Regulation 8 (2) and (4) of Annex I of the Convention the validity of this Certificate is extended until

	Signed(Signature of duly authorized official)
	Place
	Date
	(Seal or stamp of the Authority, as appropriate)

Appendix III
FORM OF OIL RECORD BOOK
1
Name of ship

Total cargo carrying capacity of ship in cubic metres

Voyage from(date)to(date)

(a)
Loading of oil cargo

1.	Date and place of loading	
2.	Types of oil loaded	
3.	Identity of tank(s) loaded	
	4.	Closing of applicable cargo tank valves and applicable line cut-off valves on completion of loading 2

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 chargeMaster

1 This Part should be completed for oil tankers including combination carriers and asphalt carriers, and those entries which are applicable shall be completed for ships other than oil tankers which are constructed and utilized to carry oil in bulk of an aggregate capacity of 200 cubic metres or above. This Part need not be reproduced on an Oil Record Book issued to any ship other than those referred to above.

2 Applicable valves and similar devices are those referred to in Regulations 20 (2) (a) (iii), 23 and 24 of Annex I of the Convention.

(b)
Internal transfer of oil cargo during voyage

5.	Date of internal transfer			
6.	Identity of tank(s)	(i)	From	
	(ii)	To		
7.	Was (were) tank(s) in 6 (i) 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 chargeMaster

(c)
Unloading of oil cargo

8.	Date and place of unloading	
9.	Identity of tank(s) unloaded	
10.	Was (were) tank(s) emptied?	
11.	Opening of applicable cargo tank valves and applicable line cut-off valves prior to cargo unloading 2	
12.	Closing of applicable cargo tank valves and applicable line cut-off valves on completion of unloading 2	

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 chargeMaster

2 Applicable valves and similar devices are those referred to in Regulations 20 (2) (a) (iii), 23 and 24 of Annex I of the Convention.

(d)
Ballasting of cargo tanks

13.	Identity of tank(s) ballasted				
14.	Date and position of ship at start of ballasting				
15.	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 the completion of ballasting.

Date of entry	Officer in chargeMaster

(e)
Cleaning of cargo tanks

16.	Identity of tank(s) cleaned			
17.	Date and duration of cleaning			
18.	Methods of cleaning 3			

Date of entry	Officer in chargeMaster

3 Hand hosing, machine washing and/or chemical cleaning. Where chemically cleaned, the chemical concerned and the amount used should be stated.

(f)
Discharge of dirty ballast

19.	Identity of tank(s)				
20.	Date and position of ship at start of discharge to sea				
21.	Date and position of ship at finish of discharge to sea				
22.	Ship's speed(s) during discharge				
23.	Quantity discharged to sea				
24.	Quantity of polluted water transferred to slop tank(s) (identify slop tank(s))				
25.	Date and port of discharge into shore reception facilities (if applicable)				
26.	Was any part of the discharge conducted during darkness, if so, for how long?				

27.	Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?			
28.	Was any oil observed on the surface of the water in the locality of the discharge?			

Date of entry	Officer in chargeMaster

(g)
Discharge of water from slop tanks

29.	Identity of slop tank(s)			
30.	Time of settling from last entry of residues, or			
31.	Time of settling from last discharge			
32.	Date, time and position of ship at start of discharge			
33.	Sounding of total contents at start of discharge			
34.	Sounding of oil/water interface at start of discharge			
35.	Bulk quantity discharged and rate of discharge			
36.	Final quantity discharged and rate of discharge			
37.	Date, time and position of ship at end of discharge			
38.	Ship's speed(s) during discharge			
39.	Sounding of oil/water interface at end of discharge			
40.	Was any part of the discharge conducted during darkness, if so, for how long?			
41.	Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?			
42.	Was any oil observed on the surface of the water in the locality of the discharge?			

Date of entry	Officer in chargeMaster

(h)
Disposal of residues

43.	Identity of tank(s)			
44.	Quantity disposed from each tank			
45.	Method of disposal of residue:(a) Reception facilities(b) Mixed with cargo(c) Transferred to another (other) tank(s) (identify tank(s))(d) Other method (state which)			
46.	Date and port of disposal of residue			

Date of entry	Officer in chargeMaster

(i)
Discharge of clean ballast contained in cargo tanks

47.	Date and position of ship at commencement of discharge of clean ballast			
48.	Identity of tank(s) discharged			
49.	Was (were) the tank(s) empty on completion?			
50.	Position of vessel on completion if different from 47			
51.	Was any part of the discharge conducted during darkness, if so, for how long?			
52.	Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?			

53.	Was any oil observed on the surface of the water in the locality of the discharge?			

Date of entry	Officer in chargeMaster

(j)
Discharge overboard of bilge water containing oil which has accumulated in machinery spaces whilst in port 4

54.	Port			
55.	Duration of stay			
56.	Quantity disposed			
57.	Date and place of disposal			
58.	Method of disposal (state whether a separator was used)			

Date of entry	Officer in chargeMaster

4 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".

(k)
Accidental or other exceptional discharges of oil

59.	Date and time of occurrence			
60.	Place or position of ship at time of occurrence			
61.	Approximate quantity and type of oil			
62.	Circumstances of discharge or escape, the reasons therefor and general remarks			

Date of entry	Officer in chargeMaster

(l)
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 chargeMaster

(m)
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 be developed by the Administration.

For asphalt carriers, a separate oil record book may be developed by the Administration utilizing sections (a), (b), (c), (e), (h), (j), (k) and (m) of this form of oil record book.

II--FOR ALL SHIPS OTHER THAN OIL TANKERS

Name of ship

Operations from(date), to(date)

(a)

Ballasting or cleaning of oil fuel tanks

1.	Identity of tank(s) ballasted				
2.	Whether cleaned since they last contained oil and, if not, type of oil previously carried				
3.	Date and position of ship at start of cleaning				
4.	Date and position of ship at start of ballasting				

Date of entry	Officer in chargeMaster

(b)

Discharge of dirty ballast or cleaning water from tanks referred to under section (a)

5.	Identity of tank(s)				
6.	Date and position of ship at start of discharge				
7.	Date and position of ship at finish of discharge				
8.	Ship's speed(s) during discharge				
9.	Method of discharge (state whether to reception facility or through installed equipment)				
10.	Quantity discharged				

Date of entry	Officer in chargeMaster

(c)

Disposal of residues

11.	Quantity of residue retained on board			
12.	Methods of disposal of residue:(a) reception facilities(b) mixed with next bunkering(c) transferred to another (other) tank(s)(d) other method (state which)			
13.	Date and port of disposal of residue			

Date of entry	Officer in chargeMaster

(d)

Discharge overboard of bilge water containing oil which has accumulated in machinery spaces whilst in port 5

14.	Port			
15.	Duration of stay			
16.	Quantity discharged			
17.	Date and place of discharge			

18.	Method of discharge:(a) through oily-water separating equipment,(b) through oil filtering system,(c) through oily-water separating equipment and an oil filtering system,(d) to reception facilities			

Date of entry	Officer in chargeMaster

5 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".

(e)
Accidental or other exceptional discharges of oil

19.	Date and time of occurrence			
20.	Place or position of ship at time of occurrence			
21.	Approximate quantity and type of oil			
22.	Circumstances of discharge or escape, the reasons therefor and general remarks			

Date of entry	Officer in chargeMaster

(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 chargeMaster

(g)
New ships of 4,000 tons gross tonnage and above: has dirty ballast been carried in oil fuel tanks?

Yes/No

If so, state which tanks were so ballasted and method of discharge of the dirty ballast

Date of entry	Officer in chargeMaster

(h)
Additional operational procedures and general remarks

Date of entry	Officer in chargeMaster

Annex II – REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK
Regulation 1 – Definitions
For the purposes 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, C or D has been thoroughly cleaned and the residues resulting therefrom 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

2.8 kp/cm 2 at a temperature of 37.8Â°C.

(6)
" **"Noxious liquid substance"** " means any substance designated in Appendix II 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 recognized 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.

(8)
" **"Baltic Sea Area"** " is as defined in Regulation 10 (1) (b) of Annex I of the present Convention.

(9)
" **"Black Sea Area"** " is defined in Regulation 10 (1) (c) of Annex I of the present Convention.

Regulation 2 – Application

(1)
Unless expressly provided otherwise the provisions of this Annex shall apply to all ships carrying noxious liquid substances in bulk.

(2)

Where a cargo subject to the provisions of Annex I of the present Convention is carried in a cargo space of a chemical tanker, the appropriate requirements of Annex I of the present Convention shall also apply.

(3)
Regulation 13 of this Annex shall apply only to ships carrying substances which are categorized for discharge control purposes in Category A, B or C.

Regulation 3 – Categorization and Listing of Noxious Liquid Substances
(1)
For the purpose of the Regulations of this Annex, except Regulation 13, 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 uses 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 hazard to either marine resources or human health or cause harm to amenities or the legitimate uses 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 minor hazard to either marine resources or human health or cause minor harm to amenities or other legitimate uses 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 recognizable hazard to either marine resources or human health or cause minimal harm to amenities or other legitimate uses of the sea and therefore require some attention in operational conditions.

(2)
Guidelines for use in the categorization of noxious liquid substances are given in Appendix I to this Annex.

(3)
The list of noxious liquid substances carried in bulk and presently categorized which are subject to the provisions of this Annex is set out in Appendix II to this Annex.

(4)
Where it is proposed to carry a liquid substance in bulk which has not been categorized under paragraph (1) of this Regulation or evaluated 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 Organization 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 Organization, with a view to the assessment of the substance.

Regulation 4 – Other Liquid Substances
(1)

The substances listed in Appendix III to this Annex have been evaluated and found to fall outside the Categories A, B, C and D, as defined in Regulation 3 (1) of this Annex because they are presently considered to present no harm to human health, marine resources, amenities or other legitimate uses of the sea, when discharged into the sea from tank cleaning or deballasting operations.

(2)
The discharge of bilge or ballast water or other residues or mixtures containing only substances listed in Appendix III to this Annex shall not be subject to any requirement of this Annex.

(3)
The discharge into the sea of clean ballast or segregated ballast shall not be subject to any requirement of this Annex.

Regulation 5 – Discharge of Noxious Liquid Substances

Categories A, B and C Substances outside Special Areas and Category D Substances in all Areas

Subject to the provisions of 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 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 such substances or mixtures are to be washed, the resulting residues shall be discharged to a reception facility until the concentration of the substance in the effluent to such facility is at or below the residual concentration prescribed for that substance in column III of Appendix II to this Annex and until the tank is empty. Provided that the residue then remaining in the tank is subsequently diluted by the addition of a volume of water of not less than 5 per cent of the total volume of the tank, it may be discharged into the sea when all the following conditions are also 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 seawater intakes; and

(c) 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.

(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 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 Organization 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 and does not exceed 1 part per million;

(c) the maximum quantity of cargo discharged 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 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 Organization 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 discharged 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 3 cubic metres or 1/1,000 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 and in a depth of water of not less than 25 metres.

(4) The discharge into the sea of substances 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 of a 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 Organization. If subsequent washing of the tank is necessary, the discharge into the sea of the resulting tank washings shall be made in accordance with paragraph (1), (2), (3) or (4) of this Regulation, whichever is applicable.

(6) The discharge into the sea of substances which have not been categorized, 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, B and C Substances within Special Areas

Subject to the provisions of 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 such substances or mixtures are to be washed the resulting residues shall be discharged to a reception facility which the States bordering the special area 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 the residual concentration prescribed for that substance in column IV of Appendix II to this Annex and until the tank is empty. Provided that the residue then remaining in the tank is subsequently diluted by the addition of a volume of water of not less than 5 per cent of the total volume of the tank, it may be discharged into the sea when all the following conditions are also 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 seawater intakes; and

(c) 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.

(8) 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 washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied:

(a) the tank has been washed after unloading with a volume of water of not less than 0.5 per cent of the total volume of the tank, and the resulting residues have been discharged to a reception facility until the tank is empty;

(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 washings are approved by the Administration. Such procedures and arrangements shall be based upon standards developed by the Organization 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 seawater 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 of 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 standards developed by the Organization 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 discharged 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 and 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 standards developed by the Organization. If subsequent washing of the tank is necessary, the discharge into the sea of the resulting tank washings shall be made in accordance with paragraph (7), (8) or (9) of this Regulation, whichever is applicable.

(11) The discharge into the sea of substances which have not been categorized, 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.

(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 Organization of the date so established at least six months in advance of that date. The Organization shall then promptly notify all Parties of that date.

(b) If the date of entry into force of the present Convention is earlier than the date established in accordance with sub-paragraph (a) of this paragraph, the requirements of paragraphs (1), (2) and (3) of this Regulation shall apply during the interim period.

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 substances necessary for the 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 substances 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 minimizing 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, approved by the Administration, when being used for the purpose of combating specific pollution incidents in order to minimize 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

(1)

The Government of each Party to the Convention undertakes to ensure the provision of reception facilities according to the needs of ships 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 substances as would remain for disposal from ships carrying them as a consequence of the application of this Annex; and

(b) ship repair ports 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 Organization thereof.

(3)

Each Party shall notify the Organization, for transmission to the Parties concerned, of any case where facilities required under paragraph (1) of this Regulation are alleged to be inadequate.

Regulation 8 – Measures of Control

(1)

The Government of each Party to the Convention shall appoint or authorize surveyors for the purpose of implementing this Regulation.

Category A Substances in all Areas

(2)

(a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.

(b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connexion with that tank shall also be entered in the Cargo Record Book.

(3) If the tank is to be washed:

(a) the effluent from the tank washing operation shall be discharged from the ship 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 residual concentration specified for that substance in Appendix II to this Annex. When the required residual concentration has been achieved, remaining tank washings 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 certified by the surveyor; and

(b) after diluting the residue then remaining in the tank with at least 5 per cent of the tank capacity of water, this mixture may be discharged into the sea in accordance with the provisions of sub-paragraphs (1) (a), (b) and (c) or 7 (a), (b) and (c), whichever is applicable, of Regulation 5 of this Annex. Appropriate entries of these operations shall be made in the Cargo Record Book.

(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 sub-paragraph (3) (a) provided that:

(a) a precleaning procedure for that tank and that substance, based on standards developed by the Organization, is approved by the Administration and that Party is satisfied that such procedure will fulfil the requirements of paragraph (1) or (7), whichever is applicable, of Regulation 5 of this Annex with respect to the attainment of the prescribed residual concentrations;

(b) a surveyor duly authorized by that Party shall certify in the Cargo Record Book that:

(i) the tank, its pump and piping system have been emptied, and that the

quantity of cargo remaining in the tank is at or below the quantity on which the approved precleaning procedure referred to in sub-paragraph (ii) of this paragraph has been based;

(ii) precleaning has been carried out in accordance with the precleaning procedure approved by the Administration for that tank and that substance; and

(iii) the tank washings resulting from such precleaning have been discharged to a reception facility and the tank is empty;

(c) the discharge into the sea of any remaining residues shall be in accordance with the provisions of paragraph (3) (b) of this Regulation and an appropriate entry is made in the Cargo Record Book.

Category B Substances outside Special Areas and Category C Substances in all Areas

(5) Subject to such surveillance and approval by the authorized or appointed surveyor as may be deemed necessary by the Government of the Party, the Master of a ship shall, with respect to a Category B substance outside special areas or a Category C substance in all areas, ensure compliance with the following:

(a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.

(b) If the tank is to be cleaned at sea:

(i) the cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;

(ii) the quantity of substance remaining in the tank shall not exceed the maximum quantity which may be discharged into the sea for that substance under Regulation 5 (2) (c) of this Annex outside special areas in the case of Category B substances, or under Regulations 5 (3) (c) and 5 (9) (c) outside and within special areas respectively in the case of Category C substances. An appropriate entry shall be made in the Cargo Record Book;

(iii) where it is intended to discharge the quantity of substance remaining into the sea the approved procedures shall be complied with, and the necessary dilution of the substance satisfactory for such a discharge shall be achieved. An appropriate entry shall be made in the Cargo Record Book; or

(iv) where the tank washings are not discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in the Cargo Record Book; and

(v) any subsequent discharge into the sea of such tank washings shall be made in accordance with the requirements of Regulation 5 of this Annex for the appropriate area and Category of substance involved.

(c) If the tank is to be cleaned in port:

(i) the tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or

(ii) the tank washings shall be retained on board the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings.

(d) If after unloading a Category C substance within a special area, any residues or tank washings are to be retained on board until the ship is outside the special area, the Master shall so indicate by an appropriate entry in the Cargo Record Book and in this case the procedures set out in Regulation 5 (3) of this Annex shall be applicable.

Category B Substances within Special Areas

(6) Subject to such surveillance and approval by the authorized or appointed surveyor as may be deemed necessary by the Government of the Party, the Master of a ship shall,

with respect to a Category B substance within a special area, ensure compliance with the following:

(a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.

(b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connexion with that tank shall also be entered in the Cargo Record Book.

(c) If the tank is to be washed, the effluent from the tank washing operation, which shall contain a volume of water not less than 0.5 per cent of the total volume of the tank, shall be discharged from the ship to a reception facility until the tank, its pump and piping system are empty. An appropriate entry shall be made in the Cargo Record Book.

(d) If the tank is to be further cleaned and emptied at sea, the Master shall:

(i) ensure that the approved procedures referred to in Regulation 5 (8) (c) of this Annex are complied with and that the appropriate entries are made in the Cargo Record Book; and

(ii) ensure that any discharge into the sea is made in accordance with the requirements of Regulation 5 (8) of this Annex and an appropriate entry is made in the Cargo Record Book.

(e) If after unloading a Category B substance within a special area, any residues or tank washings are to be retained on board until the ship is outside the special area, the Master shall so indicate by an appropriate entry in the Cargo Record Book and in this case the procedures set out in Regulation 5 (2) of this Annex shall be applicable.

Category D Substances in all Areas

(7) The Master of a ship shall, with respect to a Category D substance, ensure compliance with the following:

(a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.

(b) If the tank is to be cleaned at sea:

(i) the cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;

(ii) where it is intended to discharge the quantity of substance remaining into the sea, the necessary dilution of the substance satisfactory for such a discharge shall be achieved. An appropriate entry shall be made in the Cargo Record Book; or

(iii) where the tank washings are not discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in the Cargo Record Book; and

(iv) any subsequent discharge into the sea of such tank washings shall be made in accordance with the requirements of Regulation 5 (4) of this Annex.

(c) If the tank is to be cleaned in port:

(i) the tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or

(ii) the tank washings shall be retained on board the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings.

Discharge from a Slop Tank

(8) Any residues retained on board in a slop tank, including those from pump room bilges, which contain a Category A substance, or within a special area either a Category A or 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. An appropriate entry shall be made in the Cargo Record Book.

(9) Any residues retained on board in a slop tank, including those from pump room bilges, which contain a quantity of a Category B substance outside a special area or a Category C substance in all areas in excess of the aggregate of the maximum quantities specified in Regulation 5 (2) (c), (3) (c), or (9) (c) of this Annex, whichever is applicable, shall be discharged to a reception facility. An appropriate entry shall be made in the Cargo Record Book.

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 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) unloading of cargo;
(iii) transfer of cargo;
(iv) transfer of cargo, cargo residues or mixtures containing cargo to a slop tank;
(v) cleaning of cargo tanks;
(vi) transfer from slop tanks;
(vii) ballasting of cargo tanks;
(viii) transfer of dirty ballast water;
(ix) discharge into the sea 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 or accidental, an entry shall be made in the Cargo Record Book stating the circumstances of, and the reason for, the discharge.

(4)

When a surveyor appointed or authorized 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, when the ship is manned, 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 State whose flag the ship is entitled to fly, and, for ships holding an *International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk* (1973), 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 a place as to be readily available for inspection and, except in the case of unmanned ships under tow, shall be kept on board the ship. It shall be

retained for a period of two 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 proceedings as evidence of the facts 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 which are subject to the provisions of this Annex and which carry noxious liquid substances in bulk shall be surveyed as follows:

(a) An initial survey before a ship is put into service or before the certificate required by Regulation 11 of this Annex is issued for the first time, which shall include a complete inspection of its structure, equipment, fittings, arrangements and material in so far as the ship is covered by this Annex. The survey shall be such as to ensure full compliance with the applicable requirements of this Annex.
(b) Periodical surveys at intervals specified by the Administration which shall not exceed five years and which shall be such as to ensure that the structure, equipment, fittings, arrangements and material fully comply with the applicable requirements of this Annex. However, where the duration of the *International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk* (1973) is extended as specified in Regulation 12 (2) or (4) of this Annex, the interval of the periodical survey may be extended correspondingly.
(c) Intermediate surveys at intervals specified by the Administration which shall not exceed thirty months and which shall be such as to ensure that the equipment and associated pumps and piping systems, fully comply with the applicable requirements of this Annex and are in good working order. The survey shall be endorsed on the *International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk* (1973) issued under Regulation 11 of this Annex.

(2)
Surveys of a ship with respect to 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 organizations recognized by it. In every case the Administration concerned shall fully guarantee the completeness and efficiency of the surveys.

(3)
After any survey of a ship under this Regulation has been completed, no significant change shall be made in the structure, equipment, fittings, arrangements of material, covered by the survey without the sanction of the administration, except the direct replacement of such equipment and fittings for the purpose of repair or maintenance.

Regulation 11 – Issue of Certificate

(1)
An *International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk* (1973) shall be issued to any ship carrying noxious liquid substances which is engaged in

voyages to ports or off-shore terminals under the jurisdiction of other Parties to the Convention after survey of such ship in accordance with the provisions of Regulation 10 of this Annex.

(2)
Such Certificate shall be issued either by the Administration or by a person or organization duly authorized by it. In every case the Administration shall assume full responsibility for the Certificate.

(3)

(a) The Government of a Party 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 authorize the issue of a Certificate to 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 shall have the same force and receive the same recognition as a certificate issued under paragraph (1) of this Regulation.
(d) No *International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk* (1973) shall be issued to any ship which is entitled to fly the flag of a State which is not a Party.

(4)
The Certificate shall be drawn up in an official language of the issuing country in a 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 one of these languages.

Regulation 12 – Duration of Certificate

(1)
An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (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) and (4) of this Regulation.

(2)
If a ship at the time when the Certificate expires is not in a port or off-shore terminal 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 entitled to fly or in which it is to 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 on its arrival in the State whose flag it is entitled 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 one 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 structure,

equipment, fittings, arrangements and material required by this Annex without the sanction of the Administration, except the direct replacement of such equipment or fitting for the purpose of repair or maintenance or if intermediate surveys as specified by the Administration under Regulation 10 (1) (c) of this Annex are not carried out.

(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 a 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 a 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 formerly 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 the relevant survey report.

Regulation 13 – Requirements for Minimizing accidental Pollution

(1)
The design, construction, equipment and operation of ships carrying noxious liquid substances in bulk which are subject to the provisions of this Annex shall be such as to minimize the uncontrolled discharge into the sea of such substances.

(2)
Pursuant to the provisions of paragraph (1) of this Regulation, the Government of each Party shall issue, or cause to be issued, detailed requirements on the design, construction, equipment and operation of such ships.

(3)
In respect of chemical tankers, the requirements referred to in paragraph (2) of this Regulation shall contain at least all the provisions given in the Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk adopted by the Assembly of the Organization in Resolution A.212 (VII) and as may be amended by the Organization, provided that the amendments to that Code are adopted and brought into force in accordance with the provisions of Article 16 of the present Convention for amendment procedures to an Appendix to an Annex.

Appendix I – GUIDELINES FOR THE CATEGORIZATION OF NOXIOUS LIQUID SUBSTANCES

Category A	Substances which are bioaccumulated and liable to produce a hazard to aquatic life or human health; 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 moderately toxic to aquatic life (as expressed by a Hazard Rating 3, defined by a TLm of 1 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 bioaccumulated 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 additional factors in the hazard profile or to special characteristics of the substance.

Category C	Substances which are slightly toxic to aquatic life (as expressed by a 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 a Hazard Rating 1, defined by a TLm of 100 ppm 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 substance.
Category D	Substances which are practically non-toxic to aquatic life (as expressed by a Hazard Rating 1, defined by a TLm of 100 ppm or more, but less than 1,000 ppm); or causing deposits blanketing the seafloor with a high biochemical oxygen demand (BOD); or highly hazardous to human health, with an LD 50 of less than 5 mg/kg; or produce moderate reduction of amenities because of persistency, smell or poisonous or irritant characteristics, possibly interfering with use of beaches; or moderately hazardous to human health, with an LD 50 of 5 mg/kg or more, but less than 50 mg/kg and produce slight reduction of amenities.
Other Liquid Substances(for the purposes of Regulation 4 of this Annex)	Substances other than those categorized in Categories A, B, C and D above.

Appendix II – LIST OF NOXIOUS LIQUID SUBSTANCES CARRIED IN BULK

Substance	UN Number	Pollution Category for operational discharge	Residual concentration (per cent by weight)	
	(Regulation 3 of Annex II)	(Regulation 5 (1) of Annex II)	(Regulation 5 (7) of Annex II)	
	I	II	IIIOutside special areas	IVWithin special areas
Acetaldehyde	1089	C		
Acetic acid	1842	C		
Acetic anhydride	1715	C		
Acetone	1090	D		
Acetone cyanohydrin	1541	A	0.1	0.05
Acetyl chloride	1717	C		
Acrolein	1092	A	0.1	0.05
Acrylic acid*	--	C		
Acrylonitrile	1093	B		
Andiponitrile	--	D		
Alkylbenzene sulfonate				
(straight chain)		C		
(branched chain)		B		
Allyl alcohol	1098	B		
Allyl chloride	1100	C		
Alum (15% solution)	--	D		
Aminoethylethanolamine (Hydroxyethyl-ethylene-diamine)*	--	D		

Ammonia (28% aqueous)	1005	B		
iso-Amyl acetate	1104	C		
n-Amyl acetate	1104	C		
n-Amyl alcohol	--	D		
Aniline	1547	C		
Benzene	1114	D		
Benzyl alcohol	--	D		
Benzyl chloride	1738	B		
n-Butyl acetate	1123	D		
sec-Butyl acetate	1124	D		
n-Butyl acrylate	--	D		
Butyl butyrate*	--	B		
Butylene glycol(s)	--	D		
Butyl methacrylate	--	D		
n-Butyraldehyde	1129	B		
Butyric acid	--	B		
Calcium hydroxide (solution)	--	D		
Camphor oil	1130	B		
Carbon disulphide	1131	A	0.01	0.005
Carbon tetrachloride	1846	B		
Caustic potash (Potassium hydroxide)	1814	C		
Chloroacetic acid	1750	C		
Chloroform	1888	B		
Chlorohydrins (crude)*	--	D		
Chloroprene*	1991	C		
Chlorosulphonic acid	1754	C		
para-Chlorotoluene	--	B		
Citric acid (10%-25%)	--	D		
Creosote	1334	A	0.1	0.05
Cresols	2076	A	0.1	0.05
Cresylic acid	2022	A	0.1	0.05
Crotonaldehyde	1143	B		
Cumene	1918	C		
Cyclohexane	1145	C		
Cyclohexanol	--	D		
Cyclohexanone	1915	D		
Cyclohexylamine*	--	D		
para-Cymene (Isopropyltoluene)*	2046	D		
Decahydronaphthalene	1147	D		
Decane*	--	D		
Diacetone alcohol*	1148	D		
Dibenzyl ether*	--	C		
Dichlorobenzenes	1591	A	0.1	0.05
Dichloroethyl ether	1916	B		
Dichloropropene--Dichloropropane mixture (D.D. Soil fumigant)	2047	B		
Diethylamine	1154	C		
Diethylbenzene (mixed isomers)	2049	C		

Diethyl ether	1155	D		
Diethylenetriamine*	2079	C		
Diethylene glycol monoethyl ether	--	C		
Diethylketone (3-Pentanone)	1156	D		
Diisobutylene*	2050	D		
Diisobutyl ketone	1157	D		
Diisopropanolamine	--	C		
Diisopropylamine	1158	C		
Diisopropyl ether*	1159	D		
Dimethylamine (40% aqueous)	1160	C		
Dimethylethanola mine (2-Dimethylamino-ethanol)*	2051	C		
Dimethylformamide	--	D		
1,4-Dioxane*	1165	C		
Diphenyl/Diphenyloxide, mixtures*	--	D		
Dodecylbenzene	--	C		
Epichlorohydrin	2023	B		
2-Ethoxyethyl acetate*	1172	D		
Ethyl acetate	1173	D		
Ethyl acrylate	1917	D		
Ethyl amyl ketone*	--	C		
Ethyl benzene	1175	C		
Ethyl cyclohexane	--	D		
Ethylene chlorohydrin (2-Chloro-ethanol)	1135	D		
Ethylene cyanohydrin*	--	D		
Ethylenediamine	1604	C		
Ethylene dibromide	1605	B		
Ethylene dichloride	1184	B		
Ethylene glycol monoethyl ether (Methyl cellosolve)	1171	D		
2-Ethylhexyl acrylate*	--	D		
2-Ethylhexyl alcohol	--	C		
Ethyl lactate*	1192	D		
2-Ethyl 3-propyl-acrolein*	--	B		
Formaldehyde (37-50% solution)	1198	C		
Formic acid	1779	D		
Furfuryl alcohol	--	C		
Heptanoic acid*	--	D		
Hexamethylenediamine*	1783	C		
Hydrochloric acid	1789	D		
Hydrofluoric acid (40% aqueous)	1790	B		
Hydrogen peroxide (greater than 60%)	2015	C		
Isobutyl acrylate	--	D		
Isobutyl alcohol	1212	D		
Isobutyl methacrylate	--	D		

Isobutyraldehyde	2045	C		
Isooctane*	--	D		
Isopentane	--	D		
Isophorone	--	D		
Isopropylamine	1221	C		
Isopropylcyclohexane	--	D		
Isoprene	1218	D		
Lactic acid	--	D		
Mesityl oxide*	1229	C		
Methyl acetate	1231	D		
Methyl acrylate	1919	C		
Methylamyl alcohol	--	D		
Methylene chloride	1593	B		
2-Methyl-5-Ethyl-pyridine*	--	B		
Methyl methacrylate	1247	D		
2-Methylpentene*	--	D		
alpha-Methylstyrene*	--	D		
Monochlorobenzene	1134	B		
Monoethanolamine	--	D		
Monoisopropanola mine	--	C		
Monomethyl ethanolamine	--	C		
Mononitrobenzene	--	C		
Monoisopropylamine	--	C		
Morpholine*	2054	C		
Naphthalene (molten)	1334	A	0.1	0.05
Naphthenic acids*	--	A	0.1	0.05
Nitric acid (90%)	2031/ 2032	C		
2-Nitropropane--Dortho-Nitrotoluene	1664	C		
Nonyl alcohol*	--	C		
Nonylphenol	--	C		
n-Octanol	--	C		
Oleum	1831	C		
Oxalic acid (10-25%)	--	D		
Pentachloroethane	1669	B		
n-Pentane	1265	C		
Perchloroethylene (Tetrachloroethylene)	1897	B		
Phenol	1671	B		
Phosphoric acid	1805	D		
Phosphorus (elemental)	1338	A	0.1	0.005
Phthalic anhydride (molten)	--	C		
beta-Propiolactone*	--	B		
Propionaldehyde	1275	D		
Propionic acid	1848	D		
Propionic anhydride	--	D		
n-Propylacetate*	1276	C		
n-Propyl alcohol	1274	D		
n-Propylamine	1277	C		
Pyridine	1282	B		
Silicon tetrachloride	1818	D		

Sodium bichromate (solution)	--	C		
Sodium hydroxide	1824	C		
Sodium pentachlorophenate (solution)	--	A	0.1	0.05
Styrene monomer	2055	C		
Sulphuric acid	1830/ 1831/ 1832	C		
Tallow	--	D		
Tetraethyl lead	1649	A	0.1	0.05
Tetra hydrofuran	2056	D		
Tetrahydronaphthalene	1540	C		
Tetramethylbenzene	--	D		
Tetramethyl lead	1649	A	0.1	0.05
Titanium tetrachloride	1838	D		
Toluene	1294	C		
Toluene diisocyanate*	2078	B		
Trichloroethane	--	C		
Trichloroethylene	1710	B		
Triethanolamine	--	D		
Triethylamine	1296	C		
Trimethylbenzene*	--	C		
Tritolyl phosphate (Tricresyl phosphate)*	--	B		
Turpentine (wood)	1299	B		
Vinyl acetate	1301	C		
Vinylidene chloride*	1303	B		
Xylenes (mixed isomers)	1307	C		

*Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

Appendix III – LIST OF OTHER LIQUID SUBSTANCES CARRIED IN BULK

Acentonitrile (Methylcyanide)	Olive Oil
tert-Amylalcohol	Polypropylene glycol
n-Butyl-alcohol	iso-Propyl acetate
Butyrolactone	iso-Propyl alcohol
Calcium chloride (solution)	Propylene glycol
Castor oil	Propylene oxide
Citric juices	Propylene tetramer
Coconut oil	Propylene trimer
Cod liver oil	Sorbitol
iso-decyl alcohol	Sulphur (liquid)
n-decyl alcohol	Tridecanol
Decyl octyl alcohol	Triethylene glycol
Dibutyl ether	Water
Diethanolamine	Triethylenetetramine

Diethylene glycol	Tripropylene glycol
Dipentene	Wine
Dipropylene glycol	
Ethyl alcohol	
Ethylene glycol	
Fatty alcohols (C 12 -C 20)	
Glycerine	
n-Heptane	
Heptene (Mixed isomers)	
n-Hexane	
Ligroin	
Methyl alcohol	
Methyamyl acetate	
Methylethyl ketone (2-butanone)	
Milk	
Molasses	

Appendix IV – CARGO RECORD BOOK FOR SHIPS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK

Name of ship

Cargo carrying capacity of each tank in cubic metres

Voyage fromto

(a) Loading of cargo

1. Date and place of loading
2. Name and category of cargo(es) loaded
3. Identity of tank(s) loaded

(b) Transfer of cargo

4. Date of transfer
5. Identity of tank(s)
    (i) From
    (ii) To
6. Was (were) tank(s) in 5 (i) emptied?
7. If not, quantity remaining

(c) Unloading of cargo

8. Date and place of unloading
9. Identity of tank(s) unloaded
10. Was (were) tank(s) emptied?
11. If not, quantity remaining in tank(s)
12. Is (are) tank(s) to be cleaned?
13. Amount transferred to slop tank
14. Identity of slop tank

(d) Ballasting of cargo tanks

15. Identity of tank(s) ballasted
16. Date and position of ship at start of ballasting

(e) Cleaning of cargo tanks

Category A substances

17. Identity of tank(s) cleaned

18. Date and location of cleaning
19. Method(s) of cleaning
20. Location of reception facility used
21. Concentration of effluent when discharge to reception facility stopped
22. Quantity remaining in tank
23. Procedure and amount of water introduced into tank in final cleaning
24. Location, date of discharge into sea
25. Procedure and equipment used in discharge into the sea

Category B, C and D substances

26. Washing procedure used
27. Quantity of water used
28. Date, location of discharge into sea
29. Procedure and equipment used in discharge into the sea

(f) Transfer of dirty ballast water

30. Identity of tank(s)
31. Date and position of ship at start of discharge into sea
32. Date and position of ship at finish of discharge into sea
33. Ship's speed(s) during discharge
34. Quantity discharged into sea
35. Quantity of polluted water transferred to slop tank(s) (identify slop tank(s))
36. Date and port of discharge to shore reception facilities (if applicable)

(g) Transfer from slop tank/disposal of residue

37. Identity of slop tank(s)
38. Quantity disposed from each tank
39. Method of disposal of residue:
    (a) Reception facilities
    (b) Mixed with cargo
    (c) Transferred to another (other) tank(s) (identify tank(s))
    (d) Other method
40. Date and port of disposal of residue

(h) Accidental or other exceptional discharge

41. Date and time of occurrence
42. Place or position of ship at time of occurrence
43. Approximate quantity, name and category of substance
44. Circumstances of discharge or escape and general remarks.

Appendix V – FORM OF CERTIFICATE

(Note: This Certificate shall be supplemented in the case of a chemical tanker by the certificate required pursuant to the provisions of Regulation 13 (3) of Annex II of the Convention)

(Official Seal)

Issued under the provisions of the *International Convention for the Prevention of Pollution from Ships, 1973*, under the authority of the Government

of

(full official designation of the country)

by

(full official designation of the competent person or organization authorized under the provisions of the

Name of Ship	Distinctive Number or Letter	Port of Registry	Gross Tonnage

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with the provisions of Regulation 10 of Annex II of the Convention.
2. That the survey showed that the design, construction and equipment of the ship are such as to minimize the uncontrolled discharge into the sea of noxious liquid substances.
3. That the following arrangements and procedures have been approved by the Administration in connexion with the implementation of Regulation 5 of Annex II of the Convention.

(Continued on the annexed signed and dated sheet(s))

This certificate is valid until

subject to intermediate survey(s) at intervals of

Issued at

(place of issue of Certificate)

19

(Signature of duly authorized official issuing the Certificate)

(Seal or stamp of the issuing Authority, as appropriate)

Intermediate surveys

This is to certify that at an intermediate survey required by Regulation 10 (1) (c) of Annex II of the Convention, this ship and the condition thereof are found to comply with the relevant provisions of the Convention.

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

Under the provisions of Regulation 12 (2) and (4) of Annex II of the Convention the validity of this Certificate is extended until:

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

Schedule 2

Section 3

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

The PARTIES TO THE PRESENT PROTOCOL,

RECOGNIZING 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,

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

RECOGNIZING 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 II 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 *International Convention for the Prevention of Pollution from Ships, 1973*,

HAVE 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 II 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 Committee"** ") of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as " **"the Organization"** ").

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 II 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 recognized organizations which are authorized 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 Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations."

Article IV Signature, Ratification, Acceptance, Approval and Accession

1. The present Protocol shall be open for signature at the Headquarters of the Organization 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 Organization.

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 merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, having 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 amendments 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 of the 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 Organization.

3. A denunciation shall take effect twelve months after receipt of the notification by the Secretary-General of the Organization 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 Organization (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 II (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 signed original.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed the present Protocol.

DONE AT LONDON this seventeenth day of February one thousand nine hundred and seventy-eight.

Annex – MODIFICATIONS AND ADDITIONS TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Annex 1 – REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Regulation 1 – Definitions

Paragraphs (1) to (7)-- No change

The existing text of paragraph (8) is replaced by the following:

(8)

(a) â€˜ **"Major conversion"** ' means a conversion of an existing ship:

(i) which substantially alters the dimensions or carrying capacity of the ship; 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 Protocol not applicable to it as an existing ship.

(b) Notwithstanding the provisions of sub-paragraph (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 conversion for the purposes of this Annex.

Paragraphs (9) to (22)-- No change

The existing text of paragraph (23) is replaced by the following:

(23) â€˜ **"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.

Paragraphs (24) and (25)-- No change

The following paragraphs are added to the existing text:

(26) Notwithstanding the provisions of paragraph (6) of this Regulation, for the purposes of Regulations 13, 13B, 13E and 18 (5) of this Annex, " **"new oil tanker"** " means an oil tanker:

(a) for which the building contract is placed after 1 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 1 June 1982; or

(d) which has undergone a major conversion:

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

(ii) in the absence of a 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 purposes of Regulation 13 (1) of this Annex.

(27) Notwithstanding the provisions of paragraph (7) of this Regulation, for the purposes of Regulations 13, 13A, 13B, 13C, 13D and 18 (6) 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 oil"** " 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.

Regulations 2 and 3 – No change

Regulation 4

The existing text of regulation 4 is replaced by the following:

Surveys and Inspections

(1) Every oil tanker of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above 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 5 of this Annex is issued for the first time, which shall include a complete survey of its structure, equipment, systems, fittings,

arrangements 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, fittings, arrangements and material fully comply with the applicable requirements of this Annex.

(b) Periodical surveys at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the requirements of this Annex.

(c) A minimum of one intermediate survey during the period of validity of the Certificate which shall be such as to ensure that the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, crude oil washing systems, oily-water separating equipment and oil filtering systems, fully comply with the applicable requirements of this Annex and are in good working order. In cases where only one such intermediate survey is carried out in any one Certificate validity period, it shall be held not before six months prior to, nor later than six months after the half-way date of the Certificate's period of validity. Such intermediate surveys shall be endorsed on the Certificate issued under Regulation 5 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 organizations recognized by it.

(b) The Administration shall institute arrangements for unscheduled inspections to be carried out during the period of validity of the Certificate. Such inspections shall ensure that the ship and its equipment remain in all respects satisfactory for the service for which the ship is intended. These inspections may be carried out by their own inspection services, or by nominated surveyors or by recognized organizations, or by other Parties upon request of the Administration. Where the Administration, under the provisions of paragraph (1) of this Regulation, establishes mandatory annual surveys, the above unscheduled inspections shall not be obligatory.

(c) An Administration nominating surveyors or recognizing organizations to conduct surveys and inspections as set forth in sub-paragraphs (a) and (b) of this paragraph, shall as a minimum empower any nominated surveyor or recognized organization to:

(i) require repairs to a ship; and

(ii) carry out surveys and inspections if requested by the appropriate authorities of a Port State.

The Administration shall notify the organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties to the present Protocol for the information of their officers.

(d) When a nominated surveyor or recognized organization 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 organization 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 recognized organization has notified the appropriate authorities of the Port State, the Government of the Port State concerned shall give such officer, surveyor or organization 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 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 environment.
(e) In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and inspection and shall undertake to ensure the necessary arrangements to satisfy this obligation.

(4)

(a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Protocol to ensure that the ship in all respects 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, arrangements 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 recognized organization 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 recognized organization shall ascertain that such report has been made.

Regulations 5, 6 and 7

In the existing text of these Regulations, delete all references to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

Regulation 8 – Duration of Certificate

The existing text of Regulation 8 is replaced by the following:

(1) An International Oil Pollution Prevention Certificate shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue, provided that in the case of an oil tanker operating with dedicated clean ballast tanks for a limited period specified in Regulation 13 (9) of this Annex, the period of validity of the Certificate shall not exceed such specified period.
(2) A Certificate shall cease to be valid if significant alterations have taken place in the construction, equipment, systems, fittings, arrangements or material required without the sanction of the Administration, except the direct replacement of such equipment or fittings, or if intermediate surveys as specified by the Administration under Regulation 4 (1) (c) of this Annex are not carried out.
(3) A Certificate issued to a ship shall also cease to be valid 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 full compliance with the requirements of Regulation 4 (4) (a) and (b) of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall transmit as soon as possible to the Administration a copy of the Certificate carried by the ship before the transfer and, if available, a copy of the relevant survey report.

Regulations 9 to 12 – No change

Regulations 13 to 13E

The text "Regulations 13 to 13E" does not form part of the Protocol.

The existing text of Regulation 13 is replaced by the following Regulations:

Regulation 13 – Segregated Ballast Tanks, Dedicated Clean Ballast Tanks and Crude Oil Washing

Subject to the provisions of Regulations 13C and 13D of this Annex, oil tankers shall comply with the requirements of this Regulation.

New oil tankers of 20,000 tons deadweight and above

(1) Every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 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 metres (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 perpendiculars shall correspond to those determined by the draughts amidships (dm) as specified in sub-paragraph (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 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.

(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 for oil tankers less than 150 metres 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 a 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 requirements 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 Protocol.

(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 13B 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 tankers 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 of Regulation 13A of this Annex for the following period:

(a) for crude oil tankers of 70,000 tons deadweight and above, until two years after the date of entry into force of the present Protocol; and

(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 Protocol.

Existing product carriers of 40,000 tons deadweight and above

(10) From the date of entry into force of the present Protocol, every existing product carrier 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, 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) and (3), or paragraph (5) as appropriate, of this Regulation.

Regulation 13A – Requirements for Oil Tankers with Dedicated Clean Ballast Tanks

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

(3) An oil tanker operating with dedicated clean ballast tanks shall be equipped with an oil content meter, approved by the Administration on the basis of specifications recommended by the Organization*, 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 Protocol. 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 tanks that no contamination with oil has taken place.*Reference is made to the

Recommendation on International Performance and Test Specifications for Oily-Water Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.393(X).

(4) Every oil tanker operating with dedicated clean ballast tanks shall be provided with:

(a) 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 shall contain all the information set out in the Specifications referred to in paragraph (2) of this Regulation. If an alteration affecting the dedicated clean ballast tank system is made, the Operation Manual shall be revised accordingly; and

(b) a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement I to Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

Regulation 13B – Requirements for Crude Oil Washing

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

(2) The crude oil washing installation and associated equipment and arrangements 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 Organization.

(3) An inert gas system shall be provided in every cargo tank and slop tank in accordance with the appropriate Regulations of Chapter II-2 of the *International Convention for the Safety of Life at Sea, 1974*, as modified and added to by the Protocol of 1978 Relating to the *International Convention for the Safety of Life at Sea, 1974*.

(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 oil washed.

(5) Every oil tanker operating with crude oil washing systems shall be provided with:

(a) 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; and

(b) a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement 2 to Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

Regulation 13C – Existing Tankers Engaged in Specific Trades

(1) Subject to the provisions of paragraphs (2) and (3) of this Regulation, Regulation 13 (7) to (10) 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 Protocol; or

(b) ports or terminals of States Parties to the present Protocol; where:

(i) the voyage 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 Organization.

(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 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 entry in the appropriate Sections of the Supplement to the Oil Record Book referred to in paragraph (3) of this Regulation is endorsed by the competent Port State authority;

(b) agreement has been reached between the Administration and the Governments of the Port States referred to in sub-paragraph (1) (a) or (b) of this Regulation concerning the use of an existing oil tanker for a specific trade;

(c) the adequacy of the reception facilities in accordance with the relevant provisions of this Annex at the ports or terminals referred to above, for the purpose of this Regulation, is approved by the Governments of the States Parties to the present Protocol within 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.

(3) Every oil tanker engaged in a specific trade shall be provided with a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement 3 to Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

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 recourse 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 procedures and ballast arrangements are approved by the Administration;

(b) agreement is reached between the Administration and the Governments of the Port States Parties to the present Protocol concerned when the draught and trim requirements are achieved through an operational procedure; and

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

(2) In no case shall ballast water be carried in oil tanks 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 sub-paragraph (1) (c) of this Regulation shall communicate to the Organization the particulars thereof for circulation to the Parties to the present Protocol.

Regulation 13E – Protective Location of Segregated Ballast Spaces

(1) In every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 30,000 tons deadweight and above, the segregated ballast tanks required to provide the capacity to comply with the requirements of Regulation 13 of this Annex which are located within the cargo tank length, shall be arranged in accordance with the requirements 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

(L 1), shall be so arranged as to comply with the following requirement:

"PA c"	=	the side shell area in square metres for each segregated ballast tank or space other than an oil tank based on projected moulded dimensions,
"PAs "	=	the bottom shell area in square metres for each such tank or space based on projected moulded dimensions,
"Lt"	=	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 side amidships. In ships 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 this Regulation, they have the meaning as defined in this paragraph.

(3) For tankers of 200,000 tons deadweight and above the value of "J" may be reduced as follows:

"a"	=	0.25 for oil tankers of 200,000 tons deadweight
"a"	=	0.40 for oil tankers of 300,000 tons deadweight
"a"	=	0.50 for oil tankers of 420,000 tons deadweight and above,
	For intermediate values 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,
"O A"	=	the allowable oil outflow as required by Regulation 24 (2) of this Annex.

(4) In the determination of "PA c " and "PA s " for segregated ballast tanks and spaces other than oil tanks the following shall apply:

(a) the minimum width of each wing tank or space either of 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 inboard from the ship's side 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 "PA c "; and

(b) the minimum vertical depth of each double bottom tank or space shall be B/15 or 2 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 "PA s ".

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

rounded gunwale area.

Regulation 14 – No change

Regulation 15

In the existing text of this Regulation, delete reference to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

Regulations 16 and 17 – No change

Regulation 18 – Pumping, Piping and Discharge Arrangements of Oil Tankers

Paragraphs (1) to (4)-- No change

The following paragraphs are added to the existing text:

(5) 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 such that oil retention in the lines is minimized; and

(b) means shall be provided to drain all cargo pumps and all oil lines at the completion of cargo discharge, where necessary by connexion to a stripping device. The line and pump drainings shall be capable of being discharged both ashore and to a cargo tank or a slop tank. For discharge ashore a special small diameter line shall be provided for that purpose and connected outboard of the ship's manifold valves.

(6) Every existing crude oil carrier required to be provided with segregated ballast tanks, or fitted with a crude oil washing system or operated with dedicated clean ballast tanks, shall comply with the provisions of paragraph (5) (b) of this Regulation.

Regulation 19 – No change

Regulation 20

In the existing text of this Regulation, delete reference to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

Regulations 21 to 25 – No change

Appendix I – LIST OF OILS

No Change

Appendix II – FORM OF CERTIFICATE

The existing form of Certificate is replaced by the following form:

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

Issued under the provisions of the Protocol of 1978 Relating to 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 organization authorized under the provisions of the Protocol of 1978 Relating to the

Name of Ship	Distinctive Number or Letters	Port of Registry	Gross Tonnage

Type of ship:

Crude oil tanker*

Product carrier*

Crude oil/product carrier*

Ship other than an oil tanker with cargo tanks coming under Regulation 2 (2) of Annex 1 of the Protocol*

Ship other than any of the above*

*Delete as appropriate.

Date of building or major conversion contract

Date on which keel was laid or ship was at a similar stage of construction or on which major conversion was commenced

Date of delivery or completion of major conversion

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE PART AALL SHIPS

The ship is equipped with:

for ships of 400 tons gross tonnage and above:

(a) oily-water separating equipment* (capable of producing effluent with an oil content not exceeding 100 parts per million)

(b) an oil filtering system* (capable of producing effluent with an oil content not exceeding 100 parts per million)

for ships of 10,000 tons gross tonnage and above:

(c) an oil discharge monitoring and control system* (additional to (a) or (b) above) or

(d) oily-water separating equipment and an oil filtering system* (capable of producing effluent with an oil content not exceeding 15 parts per million) in lieu of (a) or (b) above.

*Delete as appropriate.

Particulars of requirements from which exemption is granted under Regulation 2 (2) and 2 (4) (a) of Annex I of the Protocol:

Remarks:

Endorsement for existing ships *

This is to certify that this ship has now been so equipped as to comply with the requirements of the Protocol of 1978 relating to the *International Convention for the Prevention of Pollution from Ships, 1973*, as relating to existing ships.**

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

*This entry need not be reproduced on a certificate other than the first Certificate issued to any ship.

**The period after the entry into force of the Protocol within which oily-water separating equipment, oil discharge control systems, oil filtering systems and/or slop tank arrangements must be provided is set out in Regulations 13A (3), 15 (1) and 16 (4) of Annex I of the Protocol.

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE PART BOIL TANKERS*

Carrying Capacity of Ship(m 3)	Deadweight of Ship(metric tons)	Length of Ship (m)

*This Part should be completed for oil tankers including combination carriers, and those entries which are applicable should be completed for ships other than oil tankers which are constructed and utilized to carry oil in bulk of an aggregate capacity of 200 cubic metres or above.

It is certified that this ship is constructed and equipped, and must operate, in accordance with the following:

1. This ship is:
   (a) required to be constructed according to and complies with**
   (b) not required to be constructed according to**
   (c) not required to be constructed according to, but complies with**

   the requirements of Regulation 24 of Annex I of the Protocol.

2. This ship is:
   (a) required to be constructed according to and complies with**
   (b) not required to be constructed according to**

   the requirements of Regulation 13E of Annex I of the Protocol.**Delete as appropriate.

3. This ship is:
   (a) required to be provided with segregated ballast tanks according to, and complies with*
   (b) not required to be provided with segregated ballast tanks according to*
   (c) not required to be provided with segregated ballast tanks according to, but complies with*
   (d) in accordance with Regulation 13C or 13D of Annex I of the Protocol, and as specified in Part C of this Certificate, exempted from*

   the requirements of Regulation 13 of Annex I of the Protocol
   (e) fitted with a cargo tank cleaning system using crude oil washing in accordance with the provisions of Regulation 13B of Annex I of the Protocol, in lieu of being provided with segregated ballast tanks*
   (f) provided with dedicated clean ballast tanks in accordance with the provisions of Regulation 13A of Annex I of the Protocol, in lieu of being either provided with segregated ballast tanks or fitted with a cargo tank cleaning system using crude oil washing*

   *Delete as appropriate.

4. This ship is:
   (a) required to be fitted with a cargo tank cleaning system using crude oil washing according to, and complies with*
   (b) not required to be fitted with a cargo tank cleaning system using crude oil washing according to*

   the requirements of Regulation 13 (6) of Annex I of the Protocol.

*Delete as appropriate.

Segregated ballast tanks **

The segregated ballast tanks are distributed as follows:

Tank	Volume (m 3)	Tank	Volume (m 3)

Dedicated Clean Ballast Tanks **

This ship is operating with dedicated clean ballast tanks until
(date)
in accordance with the requirements of Regulation 13A of Annex I of the Protocol.

**Delete if not applicable.

The dedicated clean ballast tanks are designated as follows:

Tank	Volume (m 3)	Tank	Volume (m 3)

Manual *

This is to certify that this ship has been supplied with:

(a) a valid Dedicated Clean Ballast Tank Operation Manual in accordance with Regulation 13A of Annex I of the Protocol**

(b) a valid Operations and Equipment Manual for Crude Oil Washing in accordance with Regulation 13B of Annex I of the Protocol**

*Delete if not applicable.

**Delete as appropriate.

Identification of the valid Manual

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

Identification of the valid Manual

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE PART CEXEMPTIONS*

This is to certify that this ship is:

(a) solely engaged in trade betweenandin accordance with Regulation 13C of Annex I of the Protocol**; or

(b) operating with special ballast arrangements in accordance with Regulation 13D of Annex I of the Protocol**and is therefore exempted from the requirements of Regulation 13 of Annex I of the Protocol.

	Signed(Signature of duly authorized official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

* Delete if not applicable.

**Delete as appropriate.

THIS IS TO CERTIFY:

That the ship has been surveyed in accordance with Regulation 4 of Annex I of the Protocol of 1978 Relating to the *International Convention for the Prevention of Pollution from Ships, 1973*, concerning the prevention of pollution by oil; and
that the survey shows that the structure, equipment, systems, fittings, arrangement 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 I of that Protocol.
This Certificate is valid untilsubject to intermediatesurvey(s) at intervals ofIssued at
(Place of issue of Certificate)
19
(Signature of duly authorized official)
(Seal or stamp of the Authority, as appropriate)
Intermediate Survey

This is to certify that at an intermediate survey required by Regulation 4 (1) (c) of Annex I of the Protocol 1978 Relating to the *International Convention for the Prevention of Pollution from Ships, 1973*, this Ship and the condition thereof were found to comply with the relevant provisions of that Protocol.

Signed
(Signature of duly authorized official)
Place
Date
Next intermediate survey due(Seal or stamp of the Authority, as appropriate)
Signed
(Signature of duly authorized official)
Place
Date
Next intermediate survey due(Seal or stamp of the Authority, as appropriate)
Signed
(Signature of duly authorized official)
Place
Date
Next intermediate survey due(Seal or stamp of the Authority, as appropriate)
Signed
(Signature of duly authorized official)
Place
Date
Next intermediate survey due(Seal or stamp of the Authority, as appropriate)

Appendix III

FORM OF OIL RECORD BOOK

The following forms of Supplements to the Oil Record Book are added to the existing form:

Supplement 1
FORM OF SUPPLEMENT TO OIL RECORD BOOK FOR OIL TANKERS OPERATED WITH DEDICATED CLEAN BALLAST TANKS*
Name of ship
Distinctive numbers or letters
Total cargo carrying capacitycubic metres
Total dedicated clean ballast capacitycubic metres
*This Supplement should be attached to the Oil Record Book for oil tankers operating with dedicated clean ballast tanks in accordance with Regulation 13A of Annex I of the Protocol of 1978 Relating to the *International Convention for the Prevention of Pollution from Ships, 1973*. Other information as required should be entered in the Oil Record Book.
The following tanks are designated as dedicated clean ballast tanks:

Tank	Volume (m 3)	Tank	Volume (m 3)

NOTE:		The periods covered by the Supplement should be consistent with the periods covered by the Oil Record Book.

(A) Ballasting of dedicated clean ballast tanks

101.	Identity of tank(s) ballasted			

102.	Date and position of ship when water intended for flushing, or port ballast was taken to dedicated clean ballast tank(s)			
103.	Date and position of ship when pump(s) and lines were flushed to slop tank			
104.	Date and position of ship when additional ballast water was taken to dedicated clean ballast tank(s)			
105.	Date, time and position of ship when (a) valves to slop tank, (b) valves to cargo tanks, (c) other valves affecting the clean ballast system were closed			
106.	Quantity of clean ballast taken on board			

The undersigned certifies that, in addition to the above, all sea valves, cargo tank and pipeline connexions and connexions between tanks or inter-tank connexions, were secured on the completion of ballasting of dedicated clean ballast tanks.

Date of entry	Officer in chargeMaster

(B) Discharge of clean ballast

107.	Identity of tank(s)			
108.	Date, time and position of ship at start of discharge of clean ballast (a) to sea, or (b) into reception facility			
109.	Date, time and position of ship upon completion of discharge to sea			
110.	Quantity discharged (a) to sea, or (b) into reception facility			
111.	Was the ballast water checked for oil contamination before discharge?			
112.	Was the discharge monitored during discharge by an oil content meter?			
113.	Was there any indication of oil contamination of the ballast water before or during discharge?			
114.	Date and position of ship when pump and lines were flushed after loading			
115.	Date, time and position of ship when (a) valves to slop tank, (b) valves to cargo tanks, (c) other valves affecting the clean ballast system were closed			
116.	Quantity of polluted water transferred to slop tank(s). (Identify slop tank(s))			

The undersigned certifies that, in addition to the above, all sea valves overboard discharge valves, cargo tank and pipeline connexions and connexions between tanks or inter-tank connexions, were secured on completion of discharge of clean ballast and that the pump(s) and pipes designated for clean ballast operations were properly cleaned upon completion of discharge of clean ballast.

Date of entry	Officer in chargeMaster

Supplement 2

FORM OF SUPPLEMENT TO OIL RECORD BOOK FOR CRUDE OIL TANKERS OPERATING WITH A CARGO TANK CLEANING PROCEDURE USING CRUDE OIL WASHING*

Name of ship
Distinctive number or letters
Total cargo carrying capacitycubic metres
Voyage fromto

(Port(s))	(date)	(Port(s))	(date)

NOTES:	The periods covered by the Supplement should be consistent with the periods covered by the Oil Record Book.The cargo tanks crude oil washed should be those laid down in the Operations and Equipment Manual required by Regulation 13B (5) (a) of the Protocol.A separate column should be used for each tank washed or water rinsed.

*This Supplement should be attached to the Oil Record Book for crude oil tankers operating with a cargo tank cleaning procedure using crude oil washing in accordance with Regulation 13B of Annex I of the Protocol of 1978 Relating to the *International Convention for the Prevention of Pollution from Ships, 1973*, and is intended to replace Section (e) of the Oil Record Book. Details of ballasting and deballasting and other information required should be entered in the Oil Record Book.

(A) Crude oil washing

201.	Date when and port where crude oil washing was carried out or ship's position if carried out between two discharge ports					
202.	Identity of tank(s) washed (see Note 1)					
203.	Number of machines in use					
204.	Commenced washing(a) date and time(b) ullage					
205.	Washing pattern employed (see Note 2)					
206.	Washing line pressure					
207.	Completed or stopped washing(a) date and time(b) ullage					
208.	Remarks					

The tanks were washed in accordance with programmes given in the Operations and Equipment Manual (see Note 3) and confirmed dry on completion.

Date of entry	Officer in chargeMaster

When an individual tank has more machines than can be operated simultaneously, as described in the Operations and Equipment Manual, then the section being crude oil washed should be identified, e.g. No. 2 centre, forward section. In accordance with the Operations and Equipment Manual, enter whether single-stage or multi-stage method of washing is employed. If multi-stage method is used, give the vertical arc covered by the machines and the number of times that arc is covered for that particular stage of the programme. If the programmes given in the Operations and Equipment Manual are not followed, then details must be given under Remarks.

(B) Water rinsing or flushing of tank bottoms

209.	Date and position of ship when rinsing or flushing was carried out				
210.	Identity of tank(s) and date				
211.	Volume of water used				
212.	Transferred to:(a) reception facilities(b) slop tank(s) (identify slop tank(s))				

Date of entry	Officer in chargeMaster

Supplement 3
FORM OF SUPPLEMENT TO OIL RECORD BOOK FOR OIL TANKERS

ENGAGED IN SPECIFIC TRADES*
Name of ship
Distinctive number or letters
Total cargo carrying capacitycubic metres
Total ballast water capacityrequired for compliance withRegulation 13 (2) and (3) ofAnnex I of the Protocolcubic metres

Voyage from	to
(Port(s))	(Port(s))

NOTE:	The periods covered by the Supplement should be consistent with the periods covered by the Oil Record Book.

*This Supplement should be attached to the Oil Record Book for oil tankers engaged in specific trades in accordance with Regulation 13C of Annex I of the Protocol of 1978 Relating to the *International Convention for the Prevention of Pollution from Ships, 1973*, and is intended to replace Sections (d), (f), (g) and (i) of the Oil Record Book. Other information required should be entered in the Oil Record Book.

(A) Loading of ballast water

301.	Identity of tank(s) ballasted				
302.	Date and position of ship when ballasted				
303.	Total quantity of ballast loaded in cubic metres				
304.	Method of calculating ballast quantity				
305.	Remarks				
306.	Date and signature of officer in charge				
307.	Date and signature of Master				

(B) Re-allocation of ballast water within the ship

308.	Reason for re-allocation				
309.	Date and signature of officer in charge				
310.	Date and signature of Master				

(C) Ballast water discharge to reception facility

311.	Date and port(s) where ballast water was discharged				
312.	Name or designation of reception facility				
313.	Total quantity of ballast water discharged in cubic metres				
314.	Method of calculating ballast quantity				
315.	Date and signature of officer in charge				
316.	Date and signature of Master				
317.	Date, signature and stamp of port authority official				

Annex II – REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

No change

Schedule 3

Section 3

INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

NOTING the functions which Article 16 of the *International Convention for the Prevention of Pollution from Ships, 1973* (hereinafter referred to as the " **"1973 Convention"** ") and resolution A.297 (VIII) confer on the Marine Environment Protection Committee for the consideration and adoption of amendments to the 1973 Convention,

NOTING FURTHER article VI of the Protocol of 1978 relating to the *International Convention for the prevention of Pollution from Ships, 1973* (hereinafter referred to as the " **"1978 Protocol"** "),

HAVING CONSIDERED at its twentieth session amendments to the 1978 Protocol proposed and circulated in accordance with article 16 (2) (a) of the 1973 Convention,

1. ADOPTS in accordance with article 16 (2) (d) of the 1973 Convention amendments to the Annex of the 1978 Protocol, the text of which is set out in the Annex to the present resolution;

2. DETERMINES in accordance with article 16 (2) (f) (iii) of the 1973 Convention that the amendments shall be deemed to have been accepted on 7 July 1985 unless prior to this date one third or more of the Parties or the Parties, the combined merchant fleets of which constitute fifty per cent or more of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;

3. INVITES the Parties to note that in accordance with article 16 (2) (g) (ii) of the 1973 Convention the amendments shall enter into force on 7 January 1986 upon their acceptance in accordance with paragraph 2 above;

4. REQUESTS the Secretary-General in conformity with article 16 (2) (e) of the 1973 Convention to transmit to all Parties to the 1978 Protocol certified copies of the present resolution and the text of the amendments contained in the Annex;

5. FURTHER REQUESTS the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1978 Protocol copies of the resolution and its Annex.

ANNEX – INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

ANNEX I – REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

Regulation 1 – Definitions

The existing texts of paragraphs (26) and (27) are replaced by the following:

"(26) Notwithstanding the provisions of paragraph (6) of this Regulation, for the purposes of Regulations 13, 13B, 13E and 18 (4) of this Annex, " **"new oil tanker"** " means an oil tanker:

(a) for which the building contract is placed after 1 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 1 June 1982; or

(d) which has undergone a major conversion:

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

(ii) in the absence of a 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 purposes of Regulation 13 (1) of this Annex.

(27) Notwithstanding the provisions of paragraph (7) of this Regulation, for the purposes of Regulations 13, 13A, 13B, 13C, 13D, 18 (5) and 18 (6) (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."

Regulation 9 – Control of Discharge of Oil

The existing text of sub-paragraph (1) (a) (vi) is replaced by the following:

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

The existing text of sub-paragraph (1) (b) (v) is replaced by the following:

"(v) the ship has in operation an oil discharge monitoring and control system, oily-water separating equipment, oil filtering equipment or other installation as required by Regulation 16 of this Annex."

The existing text of paragraph (4) is replaced by the following:

"(4) The provisions of paragraph (1) of this Regulation shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixtures 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. The provisions of sub-paragraph (1) (b) of this Regulation shall not apply to the discharge of the processed oily mixture, provided that all of the following conditions are satisfied:

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

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

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

(d) the ship has in operation oil filtering equipment complying with Regulation 16 (7) of this Annex."

Regulation 10 – Methods for the Prevention of Oil Pollution from Ships while Operating in Special Areas

The existing texts of paragraphs (2), (3) and (4) are replaced by the following:

"(2) Subject to the provisions of 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 an oil tanker shall be prohibited while in a special area;

(b) any discharge into the sea of oil or oily mixture from a ship of less than 400 tons gross tonnage; other than an oil tanker, shall be prohibited while in a special area, except when the oil content of the effluent without dilution does not exceed 15 parts per million or alternatively when all of the following conditions are satisfied:

(i) the ship is proceeding en route;

(ii) the oil content of the effluent is less than 100 parts per million; and

(iii) the discharge is made as far as practicable from the land, but in no case less than 12 nautical miles from the nearest land.

(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 sub-paragraph (2) (a) of this Regulation shall not apply to

the discharge of processed bilge water from machinery spaces, provided that all 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 (7) of this Annex; and
(vi) the filtering system is equipped with a stopping 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 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.
(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."

Regulation 13 – Segregated Ballast Tanks, Dedicated Clean Ballast Tanks and Crude Oil Washing

The existing text of paragraph (3) is replaced by the following:

"(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 Organization.

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 an entry shall be made in the Oil Record Book referred to in Regulation 20 of this Annex."

Regulation 13A – Requirements for Oil Tankers with Dedicated Clean Ballast Tanks

Paragraph (4) (b) is deleted and paragraph (4) (a) is renumbered as (4).

Regulation 13B – Requirements for Crude Oil Washing

The following words are added to the end of paragraph (3):

"and as may be further amended".

Paragraph (5) (b) is deleted and paragraph (5) (a) is renumbered as (5).

Regulation 13C – Existing Tankers Engaged in Specific Trades

The first phrase of paragraph (1) is amended to read as follows:

"(1) Subject to the provisions of paragraph (2) of this Regulation, Regulation 13 (7) to (10) of this Annex shall not apply to an existing oil tanker solely engaged in specific trades between:"

The existing text of paragraph (2) (a) is replaced by the following:

"(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;"

Paragraph (3) is deleted.

Regulation 14

The title of the Regulation is replaced by the following:

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

The following new paragraphs are added to the existing text:

"(4) In a ship of 400 tons gross tonnage and above, for which the building contract is placed after 1 January 1982 or, in the absence of a building contract, the keel of 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 or a 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

The existing text of paragraph (2) (c) is replaced by the following:

"(c) The arrangements of the slop tank or combination of slop tanks shall have a capacity necessary to retain the slop generated by tank washings, oil residues and dirty ballast residues. The total capacity of the slop tank or tanks shall not be less than 3 per cent of the oil carrying capacity of the ships, except that the Administration may accept:

(i) 2 per cent 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 eductors, without the introduction of additional water into the system;

(ii) 2 per cent 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 13B of this Annex. This capacity may be further reduced to 1.5 per cent 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 eductors, without the introduction of additional water into the system;

(iii) 1 per cent for combination carriers where oil cargo is only carried in tanks with smooth walls. This capacity may be further reduced to 0.8 per cent 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 eductors, without the introduction of additional water into the system.

New oil tankers of 70,000 tons deadweight and above shall be provided with at least two slop tanks."

The last sentence of the existing text of paragraph (3) (a) is replaced by the following:

"(a) 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 Systems for Oil Tankers developed by the Organisation.* Administrations may

accept such specific arrangements as detailed in the Guidelines and Specifications."

The following footnote is added to paragraph (3) (a):

"* Reference is made to the Guidelines and Specifications for Oil Discharge Monitoring and Control Systems for Oil Tankers adopted by the Organisation by resolution A496 (XII)."

The existing text of paragraph (5) is replaced by the following:

"(5)

(a) The Administration may waive the requirements of paragraphs (1), (2) and (3) of this Regulation for any oil tanker which engages exclusively on voyages both of 72 hours or less in duration and within 50 miles from the nearest land, provided that the oil tanker is engaged exclusively in trades between ports or terminals within a State Party to the present Convention. Any such 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 facilities 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 sub-paragraph (a) of this paragraph in cases 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 in specific trades, and the conditions specified in Regulation 13C (2) are complied with; or

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

(1) voyages within special areas; or

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

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

(bb) restricted voyages as determined by the Administration, and of 72 hours or less in 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 sub-paragraph (b) (ii) (2) of this paragraph, the Administration 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 of the categories of voyages specified in sub-paragraphs (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."

The existing text of paragraph (7) is replaced by the following:

"(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

The existing text of Regulation 16 is replaced by the following:

"Oil Discharge Monitoring and Control System and Oily-Water Separating and Oil Filtering Equipment

(1) Any ship of 400 tons gross tonnage and above but less than 10,000 tons gross tonnage shall be fitted with oily-water separating equipment (100 ppm equipment) complying with paragraph (6) of this Regulation. Any such ship which carries large quantities of oil fuel shall comply with paragraph (2) of this Regulation or paragraph (1) of Regulation 14.

(2) Any ship of 10,000 tons gross tonnage and above shall be fitted either:

(a) with oily-water separating equipment (100 ppm equipment) complying with paragraph (6) of this Regulation and with an oil discharge monitoring and control system complying with paragraph (5) of this Regulation; or

(b) with oil filtering equipment (15 ppm equipment) complying with paragraph (7) of this Regulation.

(3)

(a) The Administration may waive the requirements of paragraphs (1) and (2) of this Regulation for any ship engaged exclusively on:

(i) voyages within special areas; or

(ii) voyages within 12 miles of the nearest land outside special areas, provided the ship is in:

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

(2) restricted voyages as determined by the Administration;

provided that all of the following conditions are complied with:

(iii) 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;

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

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

(vi) the International Oil Pollution Prevention Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on the voyages specified in sub-paragraph (a) (i) or (a) (ii) (2) of this paragraph; and

(vii) the quantity, time, and port of the discharge are recorded in the Oil Record Book.

(b) The Administration shall ensure that ships of less than 400 tons gross tonnage are equipped, as far as practicable, to retain on board oil or oily mixtures or discharge them in accordance with the requirements of Regulation 9 (1) (b) of this Annex.

(4) For existing ships the requirements of paragraphs (1), (2) and (3) of this Regulation shall apply three years after the date of entry into force of the present Convention.

(5) An oil discharge monitoring and control system shall be of a design approved by the Administration. In considering the design of the oil content meter to be incorporated into the system, the Administration shall have regard to the specification recommended by the

Organization.* The system shall be fitted with a recording device to provide a continuous record of the oil content in parts per million. This record shall be identifiable as to time and date and shall be kept for at least three years. The system shall come into operation when there is any discharge of effluent into the sea and shall be such as will ensure that any discharge of oily mixture is automatically stopped when the oil content of effluent exceeds that permitted by Regulation 9 (1) (b) of this Annex. Any failure of the system shall stop the discharge and be noted in the Oil Record Book. The defective unit shall be made operable before the ship commences its next voyage unless it is proceeding to a repair port. Existing ships shall comply with all of the provisions specified above except that the stopping of the discharge may be performed manually.

(6) Oily-water separating equipment referred to in paragraphs (1) and (2) (a) of this Regulation shall be of a design approved by the Administration and shall be such as will ensure that any oily mixture discharged into the sea after passing through the system has an oil content of less than 100 parts per million. In considering the design of such equipment, the Administration shall have regard to the specification recommended by the Organization.*

(7) Oil filtering equipment referred to in paragraph (2) (b) of this Regulation shall be of a design approved by the Administration and shall be such as will ensure that any oily mixture discharged 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. In considering the design of such equipment, the Administration shall have regard to the specification recommended by the Organization.* In the case of ships less than 10,000 tons gross tonnage, other than those carrying large quantities of oil fuel or those discharging bilge water under Regulation 10 (3) (b), which are provided with oil filtering equipment in lieu of oily-water separating equipment, the requirements for the alarm arrangements shall be complied with as far as reasonable and practicable."

The following footnote is added to paragraphs (5), (6) and (7) of Regulation 16:

"* Reference is made to the Recommendation on International Performance and Test Specifications for Oily-Water Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.393 (X)."

Regulation 18 – Pumping, Piping and Discharge Arrangements of Oil Tankers

The existing text of Regulation 18 is replaced by the following:

"(1) In every oil tanker, a discharge manifold for connexion 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 sub-paragraphs (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 (6) of this Regulation, from a position on the upper deck or above located so that the manifold in use referred to in paragraph (1) of this Regulation and the discharge to the sea from the pipelines 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 minimized; and

(b) means shall be provided to drain all cargo pumps and all oil lines at the completion of cargo discharge, where necessary by connexion to a stripping device. The line and pump drainings shall be capable of being discharged both ashore and to a cargo tank or a 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 discharged 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 segregated ballast above the waterline may discharge segregated ballast below the waterline at sea, 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.

(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 that 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 discharged below the waterline, subsequent to or in lieu of the discharge by the method referred to in sub-paragraph (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 of the Specifications for the Design, Installation and Operation of a Part Flow System for Control of Overboard Discharges adopted by the Organization."

The existing texts of paragraphs (1) and (2) are replaced by the following:

"(1) Every oil tanker of 150 tons gross tonnage and above and every ship of 400 tons 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 tons 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 Form(s) 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 sub-paragraph;

(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 operations (oil 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) cleaning 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 for isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations;

(x) disposal of residues."

The second sentence of paragraph (4) is replaced by the following:

"Each completed operation shall be signed by the officer or officers in charge of the operations concerned and each completed page shall be signed by the master of the ship."

The following new paragraph is added to the existing text:

"(7) For oil tankers of less than 150 tons gross tonnage operating in accordance with Regulation 15 (4) of this Annex an appropriate Oil Record Book should be developed by the Administration."

Regulation 21 – Special Requirements for Drilling Rigs and other Platforms

The following new sub-paragraph is added to the existing text:

"(d) Outside special areas and more than 12 nautical miles from the nearest land and subject to the provisions of Regulation 11 of this Annex, the discharge from such drilling rigs and platforms when stationary into the sea of oil or oily mixtures shall be prohibited except when the oil content of the discharges without dilution does not exceed 100 parts per million unless there are appropriate national regulations which are more stringent, in which case the appropriate national regulations shall apply."

Regulation 25 – Subdivision and Stability

The existing text of sub-paragraph (a) of paragraph (2) is replaced by the following and sub-paragraphs (b), (c) and (d) are renumbered as (d), (e) and (f):

"(a) Side damage

(i)	Longitudinal extent	1/3 (L 2/3) or 14.5 metres, whichever is less
(ii)	Transverse extent (Inboard from the ship's side at right angles to the centreline at the level of the summer load line)	B/5 or 11.5 metres, whichever is less
(iii)	Vertical extent	From the moulded line of the bottom shell plating at centreline, 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	1/3 (L 2/3) or 14.5 metres, whichever is less	1/3 (L 2/3) or 5 metres, whichever is less
(ii)	Transverse extent	B/6 or 10 metres, whichever is less	B/6 or 5 metres, whichever is less
(iii)	Vertical extent	B/15 or 6 metres, whichever is less, measured from the moulded line of the bottom shell plating at centreline	B/15 or 6 metres, whichever is less, measured from the moulded line of the bottom shell plating at centreline

(c) If any damage of a lesser extent than the maximum extent of damage specified in sub-paragraphs (a) and (b) of this paragraph would result in a more severe condition, such damage shall be considered."

The existing text of sub-paragraph (3) (c) is replaced by the following:

"(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 0.1 metre within the 20 degrees range; the area under the curve within this range shall not be less than 0.0175 metre 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 of the openings listed in sub-paragraph (a) of this paragraph and other openings capable of being closed weathertight may be permitted."

The following new sub-paragraph is added to the existing text of paragraph (3):

"(e) Equalization arrangements requiring mechanical aids such 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 residual stability shall be maintained during all stages where equalization is used. Spaces which are linked by ducts of a large cross-sectional area may be considered to be common."

The existing text of paragraph (4) (b) is replaced by the following:

"(b) The permeabilities assumed for spaces flooded as a result of damage shall be as follows:

Spaces	Permeabilities

Appropriated 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*

* The permeability of partially filled compartments shall be consistent with the amount of liquid carried in the compartment. Whenever damage penetrates a tank containing liquids, it shall be assumed that the contents are completely lost from that compartment and replaced by salt water up to the level of the final plane of equilibrium."

The first phrase of paragraph (5) is amended to read:

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

Appendix II

The existing form of Certificate is replaced by the following forms:

"FORMS OF CERTIFICATE AND SUPPLEMENTS

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(Note: This Certificate shall be 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 (hereinafter referred to as " **"the Convention"** ") under the authority of the Government of:

(full designation of the country)

(full designation of the competent person or organization authorized under the provisions of the Convention)

Name of ship	Distinctive number or letters	Port of registry	Gross tonnage

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*

*Delete as appropriate.

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with Regulation 4 of Annex I of the Convention; and

2. That the survey shows that the structure, equipment, systems, fittings, arrangement 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 I of the Convention.

This Certificate is valid untilsubject to surveys in accordance with Regulation 4 of Annex I of the Convention.

Issued at

(Place of issue of

Certificate)

	19	
(Date of issue)	(Signature of duly authorized official issuing the Certificate)	

(Seal or stamp of the Authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that a survey required by Regulation 4 of Annex I of the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey:	Signed(Signature of duly authorised official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

Annual*/Intermediate* survey:	Signed(Signature of duly authorised official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

*Delete as appropriate

Annual*/Intermediate* survey:	Signed(Signature of duly authorised official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

*Delete as appropriate

Annual survey:	Signed(Signature of duly authorised official)
	Place
	Date

(Seal or stamp of the Authority, as appropriate)

FORM A

SUPPLEMENT TO THE INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(IOPP CERTIFICATE)

RECORD OF CONSTRUCTION AND EQUIPMENT FOR 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 Convention"** ")

Notes:	
1.	This form is to be used for the third type of ships as categorized in the IOPP Certificate, i.e. "ships other than any of the above". For oil tankers and ships other than oil tankers with cargo tanks coming under Regulation 2 (2) of Annex I of the Convention, Form B 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 include a translation into one of these languages.
4.	Entries 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.	Regulations mentioned in this Record refer to Regulations of Annex I of the Convention and resolutions refer to those adopted by the International Maritime Organization.

1	PARTICULARS OF SHIP		
	1.1	Name of ship	
	1.2	Distinctive number or letters	
	1.3	Port of registry	
	1.4	Gross tonnage	
	1.5	Date of build:	
		1.5.1	Date 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 conversion contract
		1.6.2	Date on which conversion was commenced
		1.6.3	Date of completion of conversion
	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
2	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	a i
		2.1.2	The ship does not under normal conditions carry ballast water in oil fuel tanks	a i
	2.2	Type of separating/filtering equipment fitted:		
		2.2.1	Equipment capable of producing effluent with oil content less than 100 ppm	a i
		2.2.2	Equipment capable of producing effluent with oil content not exceeding 15 ppm	a i
	2.3	Type of control system:		
		2.3.1	Discharge monitoring and control system (Regulation 16 (5))	
			.1 with automatic stopping device	a i
			.2 with manual stopping device	a i
		2.3.2	15 ppm alarm (Regulation 16 (7))	a i
		2.3.3	Automatic stopping device for discharges in special areas (Regulation 10 (3) (b) (vi))	a i
		2.3.4	Oil content meter (resolution A.444 (XI))	
			.1 with recording device	

			.2 without recording device
	2.4	Approval standards:	
		2.4.1	The separating/filtering equipment:
			.1 has been approved in accordance with resolution A.393 (X)
			.2 has been approved in accordance with resolution A.233 (VII)
			.3 has been approved in accordance with national standards not based upon resolution A.393 (X) or A.233 (VII)
			.4 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 has been approved in accordance with resolution A.393 (X)
	2.5	Maximum throughput of the system ism 3 /h	
	2.6	Application:	
		2.6.1	The ship is not required to be fitted with the above equipment until19* in accordance with Regulation 16 (4)

*Insert the date three years after the date of entry into force of the Convention.

3	TANKS FOR OIL RESIDUES (SLUDGE) (Regulation 17)		
	3.1	The ship is provided with oil residue (sludge) tanks with the total capacity ofm 3	â¡
	3.2	Means for the disposal of oil residue in addition to the provision of sludge tanks	â¡
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	â¡
5	EXEMPTION		
	5.1	Exemptions have been granted by the Administration from the requirements of Chapter II of Annex I of the Convention in accordance with Regulation 2 (4) (a) on those items listed under paragraph(s)of this Record.	
6	EQUIVALENTS (Regulation 3)		
	6.1	Equivalents have been approved by the Administration for certain requirements of Annex I on those 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)

19	
	(Signature of duly authorized officer issuing the Record)

(Seal or stamp of the issuing Authority, as appropriate)

FORM B

SUPPLEMENT TO THE INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(IOPP CERTIFICATE)
RECORD OF CONSTRUCTION AND EQUIPMENT FOR OIL TANKERS
in respect of the provisions 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 Convention"** ")

Notes:	
1.	This form is to be used for the first two types of ships as categorized in the IOPP

	Certificate, i.e. oil tankers and ships other than oil tankers with cargo tanks coming under Regulation 2 (2) of Annex I of the Convention. For the third type of ships as categorized 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 include a translation into one of these languages.
4.	Entries 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.	Regulations mentioned in this Record refer to Regulations of Annex I of the Convention and resolutions refer to those adopted by the International Maritime Organization.

1	PARTICULARS OF SHIP		
	1.1	Name of ship	
	1.2	Distinctive number or letters	
	1.3	Port of registry	
	1.4	Gross tonnage	
	1.5	Carrying capacity of ship(m 3)	
	1.6	Deadweight of ship(metric tons) (Regulation 1 (22))	
	1.7	Length of ship(m) (Regulation 1 (18))	
	1.8	Date of build:	
		1.8.1	Date of building contract
		1.8.2	Date on which keel was laid or ship was at a similar stage of construction
		1.8.3	Date of delivery
	1.9	Major conversion (if applicable):	
		1.9.1	Date of conversion contract
		1.9.2	Date on which conversion was commenced
		1.9.3	Date of completion of conversion
	1.10	Status of ship:	
		1.10.1	New ship in accordance with Regulation 1 (6)
		1.10.2	Existing ship in accordance with Regulation 1 (7)

		1.10.3	New oil tanker in accordance with Regulation 1 (26)
		1.10.4	Existing oil tanker in accordance with Regulation 1 (27)
		1.10.5	The ship has been accepted by the Administration as an "existing ship" under Regulation 1 (7) due to unforeseen delay in delivery
		1.10.6	The ship has been accepted by the Administration as an "existing oil tanker" under Regulation 1 (27) due to unforeseen delay in delivery
		1.10.7	The ship is not required to comply with the provisions of Regulation 24 due to the unforeseen delay in delivery
	1.11	Type of ship:	
		1.11.1	Crude oil tanker
		1.11.2	Product carrier
		1.11.3	Crude oil/product carrier
		1.11.4	Combination carrier
		1.11.5	Ship, other than an oil tanker, with cargo tanks coming under Regulation 2 (2) of

			Annex I of the Convention
		1.11.6	Oil tanker dedicated to the carriage of products referred to in Regulation 15 (7)
		1.11.7	The ship, being designated 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
		1.11.8	The ship, being designated 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
		1.11.9	Chemical tanker carrying oil
2	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
		2.1.2	The ship does not under normal conditions carry ballast water in oil fuel tanks
	2.2	Type of separating/filtering equipment fitted:	
		2.2.1	Equipment capable of producing effluent with oil content less than 100 ppm

		2.2.2	Equipment capable of producing effluent with oil content not exceeding 15 ppm
	2.3	Type of control system:	
		2.3.1	Discharge monitoring and control system (Regulation 16 (5))
			.1 with automatic stopping device
			.2 with manual stopping device
		2.3.2	15 ppm alarm (Regulation 16 (7))
		2.3.3	Automatic stopping device for discharges in special areas (Regulation 10 (3) (b) (vi))
		2.3.4	Oil content meter (resolution A.444 (XI))
			.1 with recording device
			.2 without recording device
	2.4	Approval standards:	
		2.4.1	The separating/filtering system:
			.1 has been approved in accordance with resolution A.393 (X)
			.2 has been approved in accordance with resolution A.233 (VII)

				¡
			.3 has been approved in accordance with national standards not based upon resolution A.393 (X) or A.233 (VII)	â ¡
			.4 has not been approved	â ¡
		2.4.2	The process unit has been approved in accordance with resolution A.444 (XI)	â ¡
		2.4.3	The oil content meter has been approved in accordance with resolution A.393 (X)	â ¡
	2.5	Maximum throughput of the system ism 3 /h		
	2.6	Application:		
		2.6.1	The ship is not required to be fitted with the above equipment until19* in accordance with Regulation 16 (4)	â ¡

*Insert the date three years after the date of entry into force of the Convention.

3	TANKS FOR OIL RESIDUES (SLUDGE) (Regulation 17)		
	3.1	The ship is provided with oil residue (sludge) tanks with the total capacity ofm 3	â¡
	3.2	Means for the disposal of oil residue in addition to the provision of sludge tanks	â¡
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 compliance with Regulation 19	â¡

5	CONSTRUCTION (Regulations 13, 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 â¡
		5.1.2	Required to be provided with SBT and PL â¡
		5.1.3	Required to be provided with SBT â¡
		5.1.4	Required to be provided with SBT, CBT or COW â¡
		5.1.5	Required to be provided with SBT or CBT â¡
		5.1.6	Not required to comply with the requirements of Regulation 13 â¡
	5.2	Segregated ballast tanks (SBT)	
		5.2.1	The ship is provided with SBT in compliance with Regulation 13 â¡
		5.2.2	The ship is provided with SBT which are arranged in protective locations (PL) in compliance with Regulation 13E â¡
		5.2.3	SBT are distributed as follows:

Tank	Volume (m 3)	Tank	Volume (m 3)
		Total	

	5.3	Dedicated clean ballast tanks (CBT)	
		5.3.1	The ship is provided with CBT in compliance with

			Regulation 13A, and may operate:	
			.1 as a product carrier	â¡¡
			.2 as a crude oil tanker until 19*	â¡¡

*Insert the date two years or four years after the date of entry into force of the Convention as appropriate.

		5.3.2	CBT are distributed as follows:	

Tank	Volume (m 3)	Tank	Volume (m 3)
		Total	

		5.3.3	The ship has been supplied with a valid Dedicated Clean Ballast Tank Operation Manual, which is dated	â¡¡
		5.3.4	The ship has common piping and pumping arrangements for ballasting the CBT and handling cargo oil	â¡¡
		5.3.5	The ship has separate independent piping and pumping arrangements for ballasting the CBT	â¡¡
	5.4	Crude oil washing (COW)		
		5.4.1	The ship is equipped with a COW system in compliance with Regulation 13B	â¡¡
		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 Specifications (resolution A.446 (XI))	â¡¡
		5.4.3	The ship has been supplied with a valid Crude Oil Washing Operations and Equipment Manual, which is dated	â¡¡
		5.4.4	The ship is not required to be but is equipped with COW in compliance with the safety aspects of Revised COW Specifications (resolution A.446 (XI))	â¡¡
	5.5	Exemption from Regulation 13:		
		5.5.1	The ship is solely engaged in trade betweenin accordance with Regulation 13C and is therefore exempted from the requirements of Regulation 13	â¡¡
		5.5.2	The ship is operating with special ballast arrangements in accordance with Regulation 13D and is therefore exempted from the requirements of Regulation 13	â¡¡
	5.6	Limitation of size and arrangements of		

		cargo tanks (Regulation 24)		
		5.6.1	The ship is required to be constructed according to, and complies with, the requirements of Regulation 24	â– ¡
		5.6.2	The ship is required to be constructed according to, and complies with, the requirements of Regulation 24 (4) (see Regulation 2 (2))	â– ¡
	5.7	Subdivision and stability (Regulation 25)		
		5.7.1	The ship is required to be constructed according to, and complies with, the requirements of Regulation 25	â– ¡
		5.7.2	Information and data required under Regulation 25 (5) in an approved form have been supplied to the ship	â– ¡
6	RETENTION OF OIL ON BOARD (Regulation 15)			
	6.1	Oil discharge monitoring and control system		
		6.1.1	The ship comes under categoryoil tanker as defined in resolution A.496 (XII)	â– ¡
		6.1.2	The system comprises:	
			.1 control unit	â– ¡
			.2 computing unit	â– ¡
			.3 calculating unit	â– ¡
		6.1.3	The system is:	
			.1 fitted with a starting interlock	â– ¡
			.2 fitted with an automatic stopping device	â– ¡
		6.1.4	The oil content meter is approved under the terms of resolution A.393 (X) suitable for:	
			.1 crude oil	â– ¡
			.2 black products	â– ¡
			.3 white products	â– ¡
		6.1.5	The ship has been supplied with an operations manual for the oil discharge monitoring and control system	â– ¡
		6.1.6	The ship is not required to be fitted with an oil discharge monitoring and control system, until19* in accordance with Regulation 15 (1)	â– ¡

*Insert the date three years after the date of entry into force of the Convention.

	6.2	Slop tanks		
		6.2.1	The ship is provided withdedicated slop tank(s) with the total capacity ofm 3 which is% of the oil carrying capacity, in accordance with:	â¡
			.1 Regulation 15 (2) (c)	â¡
			.2 Regulation 15 (2) (c) (i)	â¡
			.3 Regulation 15 (2) (c) (ii)	â¡
			.4 Regulation 15 (2) (c) (iii)	â¡
		6.2.2	Cargo tanks have been designated as slop tanks	â¡
		6.2.3	The ship is not required to be provided with slop tank arrangements until19* in accordance with Regulation 15 (1)	â¡
	6.3	Oil/water interface detectors		
		6.3.1	The ship is provided with oil/water interface detectors approved under the terms of resolution MEPC.5 (XIII)	â¡
	6.4	Exemptions from Regulation 15		
		6.4.1	The ship is exempted from the requirements of Regulation 15 (1), (2) and (3) in accordance with Regulation 15 (7)	â¡
		6.4.2	The ship is exempted from the requirements of Regulation 15 (1), (2) and (3) in accordance with Regulation 2 (2)	â¡
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	â¡
		7.1.2	below the waterline	â¡
	7.2	The overboard discharge outlets, other than the discharge manifold, for clean ballast are located:**		
		7.2.1	above the waterline	â¡
		7.2.2	below the waterline	â¡
	7.3	The overboard discharge outlets, other than the discharge manifold, for dirty ballast are located:**		

*Insert the date three years after the date of entry into force of the Convention.**Only those outlets which can be monitored are to be indicated.

		7.3.1	above the waterline	â¡
		7.3.2	below the waterline in conjunction with the part flow arrangements in compliance with Regulation 18 (6) (e)	â¡
		7.3.3	below the waterline	â¡
	7.4	Discharge of oil from cargo pumps 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 drainings capable of being discharged to a cargo tank or slop tank	â

				¡
			.2 for discharge ashore a special small diameter line is provided	â ¡
8	EQUIVALENT ARRANGEMENTS FOR CHEMICAL TANKERS CARRYING OIL			
	8.1	As equivalent arrangements for the carriage of oil by a chemical tanker, the ship is fitted with the following equipment in lieu of slop tanks (paragraph 6.2 above) and oil/water interface detectors (paragraph 6.3 above):		
		8.1.1	oily-water separating equipment capable of producing effluent with oil content less than 100 ppm, with the capacity ofm 3 /h	â ¡
		8.1.2	a holding tank with the capacity ofm 3	â ¡
		8.1.3	a tank for collecting tank washings which is:	
			.1 a dedicated tank	â ¡
			.2 a cargo tank designated as a collecting tank	â ¡
		8.1.4	a permanently installed transfer pump for overboard discharge of effluent containing oil through the oily-water separating equipment	â ¡
	8.2	The oily-water separating equipment has been approved under the terms of resolution A.393(X) and is suitable for the full range of Annex I products	â–¡	
	8.3	The ship holds a valid Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk	â–¡	
9	EXEMPTION			
	9.1	Exemptions have been granted by the		

		Administration from the requirements of Chapters II and III of Annex I of the Convention in accordance with Regulation 2 (4) (a) on those items listed under paragraph(s)of this Record.
10	EQUIVALENTS (Regulation 3)	
	10.1	Equivalents have been approved by the Administration for certain requirements of Annex I on those 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)

19	(Signature of duly authorised officer issuing the Record)

(Seal or stamp of the issuing Authority, as appropriate) "

Appendix III

The existing Forms of Oil Record Books and Supplements are replaced by the following forms:

"FORMS OF OIL RECORD BOOKS

OIL RECORD BOOK

Part I--Machinery space operations

(All ships)
Name of ship:
Distinctive number or letters:
Gross tonnage:
Period from:to:

Oil Record Book Part I shall be provided to every oil tanker of 150 tons gross tonnage and above and every ship of 400 tons gross tonnage and above, other than oil tankers, to record relevant machinery space operations. For oil tankers, Oil Record Book Part II shall also be provided to record relevant cargo/ballast operations.

INTRODUCTION The following pages of this section show a comprehensive list of items of machinery space operations which are, when appropriate, to be recorded in the Oil Record Book in accordance with Regulation 20 of Annex I of the *International Convention for the Prevention of Pollution from Ships, 1973*, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78). The items have been grouped into operational sections, each of which is denoted by a letter code.When making entries in the Oil Record Book, the date, operational code and item number shall be inserted in the appropriate columns and the required particulars shall be recorded chronologically in the blank spaces.Each completed operation shall be signed for and dated by the officer or officers in charge. Each completed page shall be signed by the master of the ship.

LIST OF ITEMS TO BE RECORDED

(A) BALLASTING OR CLEANING OF OIL FUEL TANKS

1. Identity of tank(s) ballasted.
2. Whether cleaned since they last contained oil and, if not, type of oil previously carried.
3. Position of ship at start of cleaning.
4. Position of ship at start of ballasting.

(B) DISCHARGE OF DIRTY BALLAST OR CLEANING WATER FROM OIL

FUEL TANKS REFERRED TO UNDER SECTION (A)

5. Identity of tank(s).
6. Position of ship at start of discharge.
7. Position of ship on completion of discharge.
8. Ship's speed(s) during discharge.
9. Method of discharge:
    .1 Through 100 ppm equipment;
    .2 Through 15 ppm equipment;
    .3 To reception facilities.
10. Quantity discharged.

(C) DISPOSAL OF OIL RESIDUES (SLUDGE)

11. Quantity of residue retained on board for disposal.
12. Methods of disposal of residue:
    .1 To reception facilities (identify port);
    .2 Mixed with bunkers;
    .3 Transferred to another (other) tank(s) (identify tank(s));
    .4 Other method (state which).

(D) NON-AUTOMATIC DISCHARGE OVERBOARD OR DISPOSAL OTHERWISE OF BILGE WATER WHICH HAS ACCUMULATED IN MACHINERY SPACES

13. Quantity discharged.
14. Time of discharge.
15. Method of discharge or disposal:
    .1 Through 100 ppm equipment;
    .2 Through 15 ppm equipment;
    .3 To reception facilities (identify port);
    .4 To slop or collecting tank (identify tank).

(E) AUTOMATIC DISCHARGE OVERBOARD OR DISPOSAL OTHERWISE OF BILGE WATER WHICH HAS ACCUMULATED IN MACHINERY SPACES

16. Time when the system has been put into automatic mode of operation for discharge overboard.
17. Time when the system has been put into automatic mode of operation for transfer of bilge water to collecting (slop) tank (identify tank).
18. Time when the system has been put to manual operation.
19. Method of discharge overboard:
    .1 Through 100 ppm equipment;
    .2 Through 15 ppm equipment.

(F) CONDITION OF OIL DISCHARGE MONITORING AND CONTROL SYSTEM

20. Time of system failure.
21. Time when system has been made operational.
22. Reasons for failure.

(G) ACCIDENTAL OR OTHER EXCEPTIONAL DISCHARGES OF OIL

23. Time of occurrence.
24. Place or position of ship at time of occurrence.
25. Approximate quantity and type of oil.
26. Circumstances of discharge or escape, the reasons therefor and general remarks.

(H) ADDITIONAL OPERATIONAL PROCEDURES AND GENERAL REMARKS

NAME OF SHIP:DISTINCTIVE NUMBER OR LETTERS:CARGO/BALLAST

OPERATIONS (OIL TANKERS)*/MACHINERY SPACE OPERATIONS (ALL SHIPS)*

Date	Code (letter)	Item (number)	Record of operations/signature of officer in charge

Signature of Master* Delete as appropriate.

OIL RECORD BOOK

Part II--Cargo/ballast operations

(Oil tankers)

Name of ship:

Distinctive number or letters:

Gross tonnage:

Period from:to:

Note: Every oil tanker of 150 tons gross tonnage and above shall be provided with Oil Record Book Part II to record relevant cargo/ballast operations. Such a tanker shall also be provided with Oil Record Book Part I to record relevant machinery space operations.

NAME OF SHIP:

DISTINCTIVE NUMBER OR LETTERS:

PLAN VIEW OF CARGO AND SLOP TANKS

(to be completed on board)

INTRODUCTION The following pages of this section show a comprehensive list of items of cargo and ballast operations which are, when appropriate, to be recorded in the Oil Record Book in accordance with Regulation 20 of Annex I of the *International Convention for the Prevention of Pollution from Ships, 1973*, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78). The items have been grouped into operational sections, each of which is denoted by a letter code.When making entries in the Oil Record Book, the date, operational code and item number shall be inserted in the appropriate columns and the required particulars shall be recorded chronologically in the blank spaces.Each completed operation shall be signed for and dated by the officer or

officers in charge. Each completed page shall be countersigned by the master of the ship. In respect of the oil tankers engaged in specific trades in accordance with Regulation 13C of Annex I of MARPOL 73/78, appropriate entry in the Oil Record Book shall be endorsed by the competent Port State authority.**This sentence should only be inserted for the Oil Record Book of a tanker engaged in a specific trade.

LIST OF ITEMS TO BE RECORDED

(A) LOADING OF OIL CARGO

1. Place of loading.
2. Type of oil loaded and identity of tank(s).
3. Total quantity of oil loaded.

(B) INTERNAL TRANSFER OF OIL CARGO DURING VOYAGE

4. Identity of tank(s):
   .1 From:
   .2 To:
5. Was (were) tank(s) in 4 (1) emptied?

(C) UNLOADING OF OIL CARGO

6. Place of unloading.
7. Identity of tank(s) unloaded.
8. Was (were) tank(s) emptied?

(D) CRUDE OIL WASHING (COW TANKERS ONLY)(To be completed for each tank being crude oil washed)

9. Port where crude oil washing was carried out or ship's position if carried out between two discharge ports.
10. Identity of tank(s) washed. 1
11. Number of machines in use.
12. Time of start of washing.
13. Washing pattern employed. 2
14. Washing line pressure.
15. Time completed or stopped washing.
16. State method of establishing that tank(s) was (were) dry.
17. Remarks. 3

1 When an individual tank has more machines than can be operated simultaneously, as described in the Operations and Equipment Manual, then the section being crude oil washed should be identified, e.g. No 2. centre, forward section.2 In accordance with the Operations and Equipment Manual, enter whether single-stage or multi-stage method of washing is employed. If multi-stage method is used, give the vertical arc covered by the machines and the number of times that arc is covered for that particular stage of the programme.3 If the programmes given in the Operations and Equipment Manual are not followed, then the reasons must be given under Remarks.

(E) BALLASTING OF CARGO TANKS

18. Identity of tank(s) ballasted.
19. Position of ship at start of ballasting.

(F) BALLASTING OF DEDICATED CLEAN BALLAST TANKS (CBT TANKERS ONLY)

20. Identity of tank(s) ballasted.
21. Position of ship when water intended for flushing, or port ballast was taken to dedicated clean ballast tank(s).
22. Position of ship when pump(s) and lines were flushed to slop tank.
23. Quantity of oily water resulting from line flushing transferred to slop tanks (identify slop tank(s)).
24. Position of ship when additional ballast water was taken to dedicated clean

ballast tank(s).

25. Time and position of ship when valves separating the dedicated clean ballast tanks from cargo and stripping lines were closed.

26. Quantity of clean ballast taken on board.

(G) CLEANING OF CARGO TANKS

27. Identity of tank(s) cleaned.

28. Port or ship's position.

29. Duration of cleaning.

30. Method of cleaning. 44 Hand hosing, machine washing and/or chemical cleaning. Where chemically cleaned, the chemical concerned and amount used should be stated.

31. Tank washings transferred to:

.1 Reception facilities;

.2 Slop tank(s) or cargo tank(s) designated as slop tank(s) (identify tank(s)).

(H) DISCHARGE OF DIRTY BALLAST

32. Identity of tank(s).

33. Position of ship at start of discharge into the sea.

34. Position of ship on completion of discharge into the sea.

35. Quantity discharged into the sea.

36. Ship's speed(s) during discharge.

37. Was the discharge monitoring and control system in operation during the discharge?

38. Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?

39. Quantity of oily water transferred to slop tank(s) (identify slop tank(s)).

40. Discharge to shore reception facilities (identify port if applicable).

(I) DISCHARGE OF WATER FROM SLOP TANKS INTO THE SEA

41. Identity of slop tanks.

42. Time of settling from last entry of residues, or

43. Time of settling from last discharge.

44. Time and position of ship at start of discharge.

45. Ullage of total contents at start of discharge.

46. Ullage of oil/water interface at start of discharge.

47. Bulk quantity discharged and rate of discharge.

48. Final quantity discharged and rate of discharge.

49. Time and position of ship on completion of discharge.

50. Was the discharge monitoring and control system in operation during the discharge?

51. Ullage of oil/water interface on completion of discharge.

52. Ship's speed(s) during discharge.

53. Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?

54. Confirm that all applicable valves in the ship's piping system have been closed on completion of discharge from the slop tanks.

(J) DISPOSAL OF RESIDUES AND OILY MIXTURES NOT OTHERWISE DEALT WITH

55. Identity of tank(s).

56. Quantity disposed of from each tank.

57. Method of disposal:

.1 To reception facilities (identify port);

.2 Mixed with cargo;
.3 Transferred to another tank(s) (identify tank(s));
.4 Other method (state which).

(K) DISCHARGE OF CLEAN BALLAST CONTAINED IN CARGO TANKS

58. Position of ship at start of discharge of clean ballast.
59. Identity of tank(s) discharged.
60. Was (were) the tank(s) empty on completion?
61. Position of ship on completion if different from 58.
62. Was a regular check kept on the effluent and the surface of the water in the locality of the discharge?

(L) DISCHARGE OF BALLAST FROM DEDICATED CLEAN BALLAST TANKS (CBT TANKERS ONLY)

63. Identity of tank(s) discharged.
64. Time and position of ship at start of discharge of clean ballast into the sea.
65. Time and position of ship on completion of discharge into the sea.
66. Quantity discharged:
.1 Into the sea; or
.2 To reception facility (identify port).
67. Was there any indication of oil contamination of the ballast water before or during discharge into the sea?
68. Was the discharge monitored by an oil content meter?
69. Time and position of ship when valves separating dedicated clean ballast tanks from the cargo and stripping lines were closed on completion of deballasting.

(M) CONDITION OF OIL DISCHARGE MONITORING AND CONTROL SYSTEM

70. Time of system failure.
71. Time when system has been made operational.
72. Reasons for failure.

(N) ACCIDENTAL OR OTHER EXCEPTIONAL DISCHARGES OF OIL

73. Time of occurrence.
74. Port or ship's position at time of occurrence.
75. Approximate quantity and type of oil.
76. Circumstances of discharge or escape, the reasons therefor and general remarks.

(O) ADDITIONAL OPERATIONAL PROCEDURES AND GENERAL REMARKS

TANKERS ENGAGED IN SPECIFIC TRADES

(P) LOADING OF BALLAST WATER

77. Identity of tank(s) ballasted.
78. Position of ship when ballasted.
79. Total quantity of ballast loaded in cubic metres.
80. Remarks.

(Q) RE-ALLOCATION OF BALLAST WATER WITHIN THE SHIP

81. Reasons for re-allocation.

(R) BALLAST WATER DISCHARGE TO RECEPTION FACILITY

82. Port(s) where ballast water was discharged.
83. Name or designation of reception facility.
84. Total quantity of ballast water discharged in cubic metres.
85. Date, signature and stamp of port authority official.

NAME OF SHIP:DISTINCTIVE NUMBER OR LETTERS:CARGO/BALLAST

OPERATIONS (OIL TANKERS)*/MACHINERY SPACE OPERATIONS (ALL SHIPS)*

Date	Code (letter)	Item (number)	Record of operations/signature of officer in charge

Signature of Master* Delete as appropriate."

Schedule 4

Section 3

INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38 (a) of the Convention of the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING Article 16 of the *International Convention for the Prevention of Pollution from Ships, 1973* (hereinafter referred to as the " **"1973 Convention"** ") and Article VI of the Protocol of 1978 relating to the 1973 Convention (hereinafter referred to as the " **"1978 Protocol"** ") which together specify the amendment procedure of the 1978 Protocol and confers upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL 73/78),

HAVING CONSIDERED at its twenty-second session amendments to the 1978 Protocol proposed and circulated in accordance with article 16 (2) (a) of the 1973 Convention,

1. ADOPTS in accordance with article 16 (2) (d) of the 1973 Convention amendments to the Annex of the 1978 Protocol (relating to Annex II of MARPOL 73/78), the text of which is set out in the Annex to the present resolution;
2. DETERMINES in accordance with article 16 (2) (f) (iii) of the 1973 Convention that the amendments shall be deemed to have been accepted on 5 October 1986 unless prior to this date one third or more of the Parties or the Parties the combined merchant fleets of

which constitute fifty per cent or more of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;

3. INVITES the Parties to note that in accordance with article 16 (2) (g) (ii) of the 1973 Convention the amendments shall enter into force on 6 April 1987 upon their acceptance in accordance with paragraph 2 above;

4. REQUESTS the Secretary-General in conformity with article 16 (2) (e) of the 1973 Convention to transmit to all Parties to the 1978 Protocol certified copies of the present resolution and the text of the amendments contained in the Annex;

5. FURTHER REQUESTS the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1978 Protocol copies of the resolution and its Annex.

ANNEX – INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

ANNEX II – REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

Regulation 1 – Definitions

The following new paragraphs (10) to (14) are added to the existing text:

"(10) â€˜ **"International Bulk Chemical Code"** ' means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC 19 (22), as may be amended by the Organization, provided that such amendments are adopted and brought into force in accordance with the provisions of Article 16 of the present Convention concerning amendment procedures applicable to an Appendix to an Annex.

(11) â€˜ **"Bulk Chemical Code"** ' means the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC 20 (22), as may be amended by the Organization, provided that such amendments are adopted and brought into force in accordance with the provisions of Article 16 of the present Convention concerning amendment procedures applicable to an Appendix to an Annex.

(12) â€˜ **"Ship constructed"** ' means a ship the keel of which is laid or which is at a similar stage of construction. A ship converted to a chemical tanker, irrespective of the date of construction, shall be treated as a chemical tanker constructed on the date on which such conversion commenced. This conversion provision shall not apply to the modification of a ship which complies with all of the following conditions:

(a) the ship is constructed before 1 July 1986; and

(b) the ship is certified under the Bulk Chemical Code to carry only those products identified by the Code as substances with pollution hazards only.

(13) â€˜ **"Similar stage of construction"** ' means the stage at which:

(a) construction identifiable with a specific ship begins; and

(b) assembly of that ship has commenced comprising at least 50 tons or one per cent of the estimated mass of all structural material, whichever is less.

Regulation 2 – Application

The following new paragraphs (4), (5), and (6) are added to the existing text:

"(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 Organization for circulation to the Parties to the Convention, particulars thereof, for their information and appropriate action, if any."

Regulation 3 – Categorization and Listing of Noxious Liquid Substances

In paragraph (1) of the existing text, the phrase "except Regulation 13", is deleted.

Regulation 5 – Discharge of Noxious Liquid Substances

In paragraph (1) the existing text of the last sentence before sub-paragraph (a) is replaced by: "Any water subsequently added to the tank may be discharged into the sea when all the following conditions are satisfied:"

In paragraph (5) the existing text of the third sentence is replaced by: "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."

In paragraph (7) the existing text of the last sentence before sub-paragraph (a) is replaced by: "Any water subsequently added to the tank may be discharged into the sea when all the following conditions are satisfied:"

In paragraph (8) the existing text of paragraph (a) is replaced by:

"(a) the tank has been prewashed in accordance with the procedure approved by the Administration and based on standards developed by the Organization and the resulting tank washings have been discharged to a reception facility."

In paragraph (10) the third sentence of the existing text is replaced by: "Any water subsequently introduced into the tank shall be regarded as clean and shall not be subject to paragraph (7), (8) or (9) of this Regulation."

The following new Regulation 5A is added to the existing text:

"Regulation 5A – Pumping, Piping and Unloading Arrangements

(1) 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 a 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 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 B substance does not retain a quantity of residue in excess of 0.3 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(b) Until 2 October 1994 ships referred to in sub-paragraph (a) of this paragraph if not in compliance with the requirements of that sub-paragraph shall, as a minimum, be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category B substance does not retain a quantity of residue in excess of 1 cubic metre or 1/3000 of the tank capacity in

cubic metres, whichever is greater, in that tank and the 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 a Category C substance does not retain a quantity of residue in excess of 0.3 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's 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 that tank's suction point.

(b) Until 2 October 1994 the ships referred to in sub-paragraph (a) of this paragraph if not in compliance with the requirements of that sub-paragraph shall as a minimum, be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category C substance does not retain a quantity of residue in excess of 3 cubic metres or 1/1000 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 Organization. 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 Organization. The residues on cargo tank surfaces, referred to in paragraphs (2) (b) and (4) (b) of this Regulation shall be determined based on standards developed by the Organization.

(6)

(a) Subject to the provisions of sub-paragraph (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 Party to the present Convention; or

(ii) ports or terminals of States Parties to the present Convention.

(b) The provisions of sub-paragraph (a) of this paragraph shall only apply to a ship constructed before 1 July 1986 if:

(i) each time a tank containing Category B or C substances or mixtures is to be washed or ballasted, the tank is washed in accordance with a prewash procedure approved by the Administration and based on Standards developed by the Organization and the tank washings are discharged to a reception facility;

(ii) subsequent washings or ballast water are discharged to a reception facility or at 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 Organization, for circulation to the Parties to the Convention, particulars of the exemption, for their

information and appropriate action, if 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 drydocking, the Administration may allow exemption from the provisions of paragraphs (1), (2), (3) and (4) of this Regulation, provided that all of 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 a repair or drydocking 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 one named substance; and

(ii) the particulars of the exemption;

(d) the ship carries a suitable operational manual approved by the Administration; and

(e) 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 Organization, for circulation to the Parties to the Convention, particulars of the exemption, for their information and appropriate action, if any."

Regulation 7 – The existing title of this Regulation is replaced by "Reception Facilities and Cargo Unloading Terminal Arrangements"

The following new paragraph (3) is added to the existing text:

"(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 ships unloading noxious liquid substances at these terminals. Cargo hoses and piping systems of the terminal, containing noxious liquid substances received from ships unloading these substances at the terminal, shall not be drained back to the ship."

The existing text of paragraph (3) is renumbered as (4) and replaced by the following:

"(4) Each Party shall notify the Organization, 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 be inadequate."

The existing text of Regulation 8 is replaced by the following:

"Regulation 8 – Measures of Control

(1)

(a) The Government of each party of the Convention shall appoint or authorize surveyors for the purpose of implementing this Regulation. The surveyors shall execute control in accordance with control procedures developed by the Organization.

(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 States 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 sub-paragraph (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 sub-paragraph (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 sub-paragraph (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 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 Organization.

(3) If the tank is to be washed in accordance with sub-paragraph (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 residual concentration specified for that substance in Appendix II to this Annex. When the required residual concentration has been achieved, remaining tank washings 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 prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization; 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 prewash has been carried out in accordance with the prewash procedure approved by the Administration for that tank and that substance; and

(iii) the tank washings resulting from such prewash have been discharged to a reception facility and the tank is empty.

Category B and 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 sub-paragraph (b) of this paragraph, be prewashed before the ship leaves the port of unloading, whenever;

(i) the substance unloaded is identified in the standards developed by the Organization as resulting in a residue quantity exceeding the maximum quantity which may be discharged into the sea under Regulation 5 (2) or (3) of this Annex in case of Category B or C substances respectively; 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 Organization 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 prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at 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 of sub-paragraph (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 and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged 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 Organization.

Category B substances within 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 sub-paragraph (b) and (c), be prewashed before the ship leaves the port of unloading. The prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at the port of unloading.

(b) The requirements of sub-paragraph (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 developed by the Organization as resulting in a residue quantity not exceeding the maximum quantity which may be discharged into the sea outside Special Areas under 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 Regulation 5 (2) of this Annex; and

(ii) the unloading is carried out in accordance with the pumping conditions for the tank approved by the Administration based on standards developed by the Organization 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 sub-paragraph (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 or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged 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 Organization.

Category C substances within 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 prewashed before the ship leaves the port of unloading, whenever:

(i) the Category C substance unloaded is identified in the standards developed by the Organization as resulting in a residue quantity exceeding the maximum quantity which may be discharged into the sea under Regulation 5 (9) of this 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 Organization 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 prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at the port of unloading.

(b) The requirements of sub-paragraph (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 Organization as resulting in a residue quantity not exceeding the maximum quantity which may be discharged into the sea outside Special Areas under Regulation 5 (3) of this Annex, and the residues are retained on board for subsequent discharge 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 Organization 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 sub-paragraph (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 or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged 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 Organization.

Category D substances in all areas

(8) 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.

Discharge from a slop tank

(9) Any residues retained on board in a slop tank, including those from cargo pump room bilges, which contain a Category A substance, or within a special area either a 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

The existing text of sub-paragraph (2) (i) to (ix) is replaced by the following:

"(i) loading of cargo;
(ii) internal transfer of cargo;
(iii) unloading of cargo;
(iv) cleaning of cargo tanks;
(v) ballasting of cargo tanks;
(vi) discharge 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."

In the existing text of paragraph (3), reference to "Article 7" is replaced by "Article 8".

In the second sentence of the existing text of paragraph (5), the words "when the ship is manned" are deleted.

In the third sentence of the existing text of paragraph (5), "(1973)" is deleted and the words "or a Certificate referred to in Regulation 12A of this Annex" are inserted.

In the second sentence of the existing text of paragraph (6), the word "two" is replaced by the word "three".

The existing text of Regulations 10 to 12 is replaced by the following:

"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 the ship is covered by this Annex. This survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and materials fully comply with the applicable requirements of this Annex.

(b) Periodical surveys at intervals specified by the Administration, but not exceeding five years, and which shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the requirements of this Annex.

(c) A minimum of one intermediate survey during the period of validity of the Certificate and which shall be such as to ensure that the equipment and associated pump and piping systems fully comply with the applicable requirements of this Annex and are in good working order. In cases where only one such intermediate survey is carried out in any one Certificate validity period, it shall be held not before six months prior to, nor later than six months after the half-way date of the Certificate's period of validity. Such intermediate surveys shall be endorsed on the Certificate issued under Regulation 11 of this Annex.

(d) An annual survey within 3 months before or after the day and the month of the date of issue of the Certificate and which shall include a general examination to ensure that the structure, fittings, arrangements and materials remain in all respects 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.

(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 the purpose or to organizations recognised by it.

(b) An Administration nominating surveyors or recognizing organizations to conduct surveys and inspections as set forth in sub-paragraph (a) of this paragraph, shall as a minimum empower any nominated surveyor or recognized organisation to:

(i) require repairs to a ship; and

(ii) carry out surveys and inspections if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties to the present Convention for the information of their officers.

(c) When a nominated surveyor or recognized organization 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 organization 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 recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor, or organization 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 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 environment.

(d) In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and inspection and shall undertake to ensure the necessary arrangements to satisfy this obligation.

(3)

(a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respects 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, arrangements 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 recognized organization 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 recognized organization shall ascertain that such report has been made.

Regulation 11 – Issue of Certificate

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued, after 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 either by the Administration or by any person or

organization duly authorized 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 authorize the issue of an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk to 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 an official language of the issuing country 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 one of these languages.

Regulation 12 – Duration of 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 five years from the date of issue.

(2) A Certificate shall cease to be valid if significant alterations have taken place in the construction, equipment, systems, fittings, arrangements or material required without the sanction of the Administration, except the direct replacement of such equipment or fittings, or if intermediate or annual surveys as specified by the Administration under Regulation 10 (1) (c) or (d) of this Annex are not carried out.

(3) A Certificate issued to a ship shall also cease to be valid upon transfer of the ship to the flag of another State. A new Certificate shall be issued only when the Government issuing the new Certificate is fully satisfied that the ship is in full compliance with the requirements of Regulation 10 (3) (a) and (b) of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall transmit as soon as possible to the Administration a copy of the Certificate carried by the ship before the transfer and, if available, a copy of the relevant survey report."

The following new Regulation 12A is added to the existing text:

"Regulation 12A – Survey and Certification of Chemical Tankers

Notwithstanding the provisions of Regulations 10, 11 and 12 of this Annex, chemical tankers which have been surveyed and certified 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 – Requirements for Minimizing Accidental Pollution

The existing text of Regulation 13 is replaced by the following:

"(1) The design, construction, equipment and operation of ships carrying noxious liquid substances of Category A, B or C in bulk, shall be such as to minimize the uncontrolled discharge into the sea of such substances.

(2) Chemical tankers constructed on or after 1 July 1986 shall comply with the requirements of the International Bulk Chemical Code.

(3) Chemical tankers constructed before 1 July 1986 shall comply with the following requirements:

(a) The following chemical tankers shall comply with the requirements of the Bulk Chemical Code as applicable to ships referred to 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 within the State the flag of which the ship is entitled to fly;

(b) The following chemical tankers shall comply with the requirements of the Bulk Chemical Code as applicable to ships referred to in 1.7.3 of that Code:

(i) ships for which the building contract is placed before 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 before 1 July 1983 which are engaged on voyages between ports or terminals within the State the flag of which the ship is entitled to fly, except that for ships of less than 1,600 tons 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 Organization in order to ensure that the provisions of paragraph (1) of this Regulation are complied with."

The following new Regulation 14 is added to the existing text:

"Regulation 14 – Carriage and Discharge of Oil-like Substances

Notwithstanding the provisions of other Regulations of this Annex, noxious liquid substances designated in Appendix II of this Annex as falling under Category C or D and identified by the Organization as oil-like substances under the criteria developed by the Organization, may be carried on an oil tanker as defined in Annex I of the Convention and discharged in accordance with the provisions of Annex I of the present Convention, provided that all of the following conditions are complied with:

(a) the ship complies with the provisions of Annex I of the present Convention as applicable to product carriers 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 substances in conformity with this Regulation and the endorsement includes a list of oil-like substances the ship is allowed to carry;

(c) in the case of Category C substances 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 of the ship is approved by the Administration for use in monitoring the oil-like

substances to be carried."

APPENDIX II – LIST OF NOXIOUS LIQUID SUBSTANCES CARRIED IN BULK

Existing list is replaced by the following:

	UN Number	Pollution Category for operational discharge	Residual concentration (per cent by weight)	
Substance		(Regulation 3 of Annex II)	(Regulation 5 (1) of Annex II)	(Regulation 5 (7) of Annex II)
	I	II	IIIOutside special areas	IVWithin special areas
Acetaldehyde	1089	C		
Acetic acid	2789*2790 *	C		
Acetic anhydride	1715	C		
Acetone cyanohydrin	1541	A	0.1	0.05
Acetophenone		D		
Acetyle chloride	1717	C		
Acrylamide solution (50% or less)	2074	D		
Acrylic acid	2218	D		
Acrylonitrile	1093	B		
Adiponitrile	2205	D		

Pollution Category in brackets indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources. Until the hazard evaluation is completed the Pollution Category assigned shall be used.

*UN Number 2789 refers to more than 80% solution and 2790 between 10% and 80% solution.

	I	II	III	IV
Alcohols, C 4, C 5, C 6 mixtures		D		
Alcohols, C 5, C 6 as individual alcohols		D		
Alcohols C 7, C 8, C 9 as individuals and mixtures		C		
Alcohols C 10, C 11, C 12 as individuals and mixtures		B		
Alcohol ethoxylate (higher secondary)		D		
Alcohol (C 13 /C 15) poly (3-11) ethoxylates		B		
Alkyl acrylate vinyl pyrindine copolymer in toluene		(C)		
Alkylamine mixtures		C		
Alkyl (C 9 -C 17) benzene mixtures (straight or branched chain)		D		
Alkyl benzene sulphonate (branched chain)		B		
Alkyl benzene sulphonate (straight chain)		C		
Alkyl benzene sulphonic acid	25842586	C		
Allyl alcohol	1098	B		
Allyl chloride	1100	B		
2-(2-Aminoethoxy) ethanol	3055	D		
Aminoethylethanolamine		(D)		

N-Aminoethylpiperazine	2815	D		
Ammonia aqueous (28% or less)	2672*	C		
*UN number refers to 10-35%				
Ammonium nitrate solution (93% or less)	2426	D		
Ammonium sulphate solution		D		
Ammonium sulphide solution (45% or less)	2683	B		
Amyl acetate, commercial	1104	C		
n-Amyl acetate	1104	C		
sec-Amyl acetate	1104	C		
n-Amyl alcohol	1105	D		
sec-Amyl alcohol	1105	D		
Amyl alcohol, primary	1105	D		
Aniline	1547	C		
Benzaldehyde		C		
Benzene and mixtures having 10% benzene or more	1114*	C		
Benzene sulphonyl chloride	2225	D		
Benzyl acetate		C		
Benzyl alcohol		C		
Benzyl chloride	1738	B		
Butene oligomer		D		
n-Butyl acetate	1123	C		
sec-Butyl acetate	1123	D		
n-Butyl acrylate	2348	D		
Butylamine (all isomers)	1125(normal)1214(iso)	C		
*UN number 1114 applies to Benzene				
Butyl benzyl phthalate		A	0.1	0.05
n-Butyl butyrate		(B)		
Butyl/Decyl/Cetyl/Eicosyl methacrylate mixture		D		
Butylene glycol		D		
1, 2-Butylene oxide	3022	C		
n-Butyl ether	1149	C		
Butyl lactate		D		
Butyl methacrylate	2227	D		
n-Butyraldehyde	1129	B		
Butyric acid	2820	B		
gamma-Butyrolactone		D		
Calcium alkyl salicylate		D		
Calcium chloride solution		D		
Calcium hydroxide solution		D		
Calcium hypochlorite solution		B		
Calcium naphthenate in mineral oil		A	0.1	0.05
Camphor oil	1130	B		
Caprolactam		D		
Carbolic oil		A	0.1	0.05
Carbon disulphide	1131	A	0.01	0.005
Carbon tetrachloride	1846	B		
Cashew nut shell oil (untreated)		D		

Castor oil		D		
Chloracetic acid	1750	C		
Chloracetone	1695	C		
Chlorobenzene	1134	B		
Chloroform	1888	B		
1-Chloroheptane		A	0.1	0.05
Chlorohydrins, crude		(D)		
o-Chloronitrobenzene	1578	B		
2-Chloropropionic acid	2511	(C)		
3-Chloropropionic acid		(C)		
Chlorosulphonic acid	1754	C		
m-Chlorotoluene	2238	B		
o-Chlorotoluene	2238	A	0.1	0.05
p-Chlorotoluene	2238	B		
Chlorotoluene (mixed isomers)	2238	A	0.1	0.05
Choline chloride solution		D		
Citric acid		D		
Coal tar naphtha solvent		B		
Cobalt naphtenate in solvent naphtha		A	0.1	0.05
Coconut oil		D		
Coconut oil, fatty acid methyl ester		D		
Cod liver oil		D		
Corn oil		D		
Cotton seed oil		D		
Creosote (coal tar)		(C)		
Creosote (wood)		A	0.1	0.05
Cresol (mixed isomers)	2076	A	0.1	0.05
Cresyl diphenyl phosphate		A	0.1	0.05
Cresylic acid	2022	A	0.1	0.05
Crotonaldehyde	1143	B		
Cycloheptane	2241	D		
Cyclohexane	1145	C		
Cyclohexane/Cyclohexanol mixture		C		
Cyclohexanol		C		
Cyclohexanone	1915	D		
Cyclohexylamine	2357	C		
p-Cymene	2046	C		
Decahydronaphthalene	1147	(D)		
n-Decaldehyde		B		
Decane		(D)		
Decene		B		
Decyl acrylate		A	0.1	0.05
Decyl alcohol (all isomers)		B		
Diacetone alcohol	1148	D		
Dialkyl (C 7 -C 9) phthalates		(D)		
Dialkyl (C 9 -C 13) phthalates		D		
Dibenzyl ether		(C)		
Dibutylamine		C		
Dibutyl phthalate		A	0.1	0.05

m-Dichlorobenzene		B		
o-Dichlorobenzene	1591	B		
1,1-Dichloroethane	2362	B		
1,2-Dichloroethylene	1150	(D)		
Dichloroethyl ether	1916	B		
1,6-Dichlorohexane		B		
2,2-Dichloroisopropyl ether	2490	C		
Dichloromethane	1593	D		
2,4-Dichlorophenol	2021	A	0.1	0.05
2,4-Dichlorophenoxy-acetic acid		(A)	0.1	0.05
2,4-Dichlorophenoxy-acetic acid, diethanolamine salt solution		(A)	0.1	0.05
2,4-Dichlorophenoxy-acetic acid, dimethylamine salt (70% or less) solution		(A)	0.1	0.05
2,4-Dichlorophenoxy-acetic acid, triiso-propanolamine salt solution		(A)	0.1	0.05
1,1-Dichloropropane		B		
1,2-Dichloropropane	1279	B		
1,3-Dichloropropane		B		
1,3-Dichloropropene	2047	B		
Dichloropropene/Dichloropropane mixtures		B		
2,2-Dichloropropionic acid		D		
Dichloropropyl ether		(B)		
Diethylamine	1154	C		
Diethlaminoethanol	2686	C		
Diethylbenzene	2049	C		
Diethyl carbonate	2366	D		
Diethylene glycol dibutyl ether		D		
Diethylene glycol butyl ether acetate		(D)		
Diethylene glycol ethyl ether acetate		(D)		
Diethylene glycol methyl ether		C		
Diethylene glycol methyl ether acetate		(D)		
Diethylenetriamine	2079	(D)		
Di(2-ethylhexl) adipate		D		
Di(2-ethlhexyl) phosphoric acid	1902	C		
Di(2-ethylhexyl) phthalate		D		
Diethyl malonate		C		
Diethyl phthalate		C		
Diethyl sulphate	1594	(B)		
Diglycidyl ether of bisphenol A		B		
1,4-Dihydro-9, 10-dihydroxy anthracene, disodium salt solution		D		
Diisobutylamine	2361	(C)		
Diisobutylene	2050	B		
Diisobutyl ketone	1157	D		
Diisobutyl phthalate		B		
Diisodecyl phthalate		D		
Diisononyl adipate		(D)		

Diisononyl phthalate		D		
Diisopropanolamine		C		
Diisopropylamine	1158	C		
Diisopropylbenzene (all isomers)		A	0.1	0.05
Diisopropyl naphthalene		D		
Dimethyl acetamide		(B)		
Dimethylamine solution (45% or less)	1160	C		
Dimethylamine solution (greater than 45% but not greater than 55%)	1160	C		
Dimethylamine solution (greater than 55% but not greater than 65%)	1160	C		
N,N-Dimethylcyclohexylamine	2264	C		
Dimethylethanolamine	2051	D		
Dimethylformamide	2265	D		
Dimethy phthalate		C		
Dinitrotoluene (molten)	1600	B		
Dinonyl phthalate		D		
1,4-Dioxane	1165	D		
Dipentene	2052	C		
Diphenyl/Diphenyl oxide mixtures		A	0.1	0.05
Diphenyl ether		A	0.1	0.05
Diphenylmethane diisolcyanate	2489	(B)		
Diphenyl oxide/Diphenyl phenyl ether mixture		A	0.1	0.05
Di-n-propylamine	2383	C		
Dipropylene glycol methyl ether		(D)		
Ditridecyl phthalate		D		
Diundecyl phthalate		D		
Divinyl acetylene		(D)		
Dodecane		(D)		
Dodecene (all isomers)		B		
Dodecyl alcohol		B		
Dodecylbenzene		C		
Dodecyl diphenyl oxide disulphonate solution		B		
Dodecylphenol		A	0.1	0.05
Epichlorohydrin	2023	C		
Ethanolamine	2491	D		
2-Ethoxyethanol	1171	D		
2-Ethoxyethyl acetate	1172	C		
Ethyl acetate	1173	D		
Ethyl acetoacetate		(D)		
Ethyl acrylate	1917	B		
Ethylamine	1036	C		
Ethylamine solutions (72% or less)	2270	C		
Ethyl amyl ketone	2271	C		
Ethyl benzene	1175	C		
N-Ethylbutylamine		(C)		
Ethylcyclohexane		D		
N-Ethylcyclohexylamine		D		
Ethylene chlorohydrin	1135	C		
Ethylene cyanohydrin		(D)		

Ethylenediamine	1604	C		
Ethylenediamine, tetraacetic acid, tetrasodium salt solution		D		
Ethylene dibromide	1605	B		
Ethylene dichloride	1184	B		
Ethylene glycol		D		
Ethylene glycol methyl butyl ether		D		
Ethylene glycol acetate		(D)		
Ethylene glycol butyl ether acetate		D		
Ethylene glycol methyl ether	1188	D		
Ethylene glycol methyl ether acetate	1189	D		
Ethylene glycol phenyl ether		D		
Ethylene glycol phenyl ether/Diethylene glycol phenyl ether mixture		D		
Ethylene oxide/Propylene oxide mixtures with an ethylene oxide content of not more than 30% by weight	2983	D		
2-Ethylhexanoic acid		D		
2-Ethylhexyl acrylate		D		
2-Ethylhexylamine	2276	B		
Ethylidene norbornene		B		
Ethyl lactate	1192	D		
Ethyl methacrylate	227	(D)		
o-Ethyl phenol		(A)	0.1	0.05
2-Ethyl-3-propylacrolein		B		
Ethyl toluene		(B)		
Fatty alcohols (C 12 -C 20)		B		
Ferric chloride solution	2582	C		
Ferric hydroxyethyl ethylendediamine triacetic acid, trisodium salt solution		D		
Fish oil	1198	D		
Formaldehyde solutions (45% or less)	2209	C		
Formamide		D		
Formic acid	1779	D		
Fumaric adduct of rosin, water dispersion		B		
Furfural	1199	C		
Furfuryl alcohol	2874	C		
Glutaraldehyde solutions (50% or less)		D		
Glycidyl ester of C 10 trialkyl acetic acid		B		
Ground nut oil		D		
Heptanoic acid		(D)		
Heptanol (all isomers)		C		
Heptene (mixed isomers)		C		
Heptyl acetate		(B)		
Hexahydrocymene		(C)		
Hexamethylenediamine solution	1783	C		
Hexamethylenediamine adipate (50% in water)		D		
Hexamethyleneimine	2493	C		
1-Hexanol	2282	D		
1-Hexene	2370	C		
Hexyl acetate	1233	B		
Hydrochloric acid	1789	D		

Hydrogen peroxide solutions (over 60% but not over 70%)	2015	C		
Hydrogen peroxide solutions (over 8% but not over 60%)	2014 2984	C		
2-Hydroxyethyl acrylate		B		
N-(Hydroxyethyl) ethylene diamine triacetic acid, trisodium salt solution		D		
Iron chloride, copper chloride mixture		A	0.1	0.05
Isoamyl acetate	1104	C		
Isoamyl alcohol	1105	D		
Isobutyl acetate	213	C		
Isobutyl acrylate	2527	D		
Isobutyl formate	2393	D		
Isobutyl formate/Isobutanol mixtures		(C)		
Isobutyl methacrylate	2283	D		
Isobutyraldehyde	2045	C		
Isodecaldehyde		C		
Isodecyl acrylate		A	0.1	0.05
Isononanoic acid		D		
Isooctane	1262	(D)		
Isopentane	1265	D		
Isphorone		D		
Isophorone diamine	2289	D		
Isophorone diisocyanate	2290	B		
Isoprene	1218	C		
Isopropanolamine		C		
Isopropylamine	1221	C		
Isopropylbenzene	1918	B		
Isopropyl cyclohexane		D		
Isopropyl ether	1159	D		
Isovaleraldehyde	2058	C		
Lactic acid		D		
Lactonitrile solution (80% or less)		B		
Latex (ammonia inhibited)		D		
Linseed oil		D		
Maleic anhydride	2215	D		
Mercaptobenzothiazol, sodium salt solution		(B)		
Mesityl oxide	1229	D		
Methacrylic acid	2531	D		
Methacrylic resin in 1, 2-Dichloroethane solution		(D)		
Methacrylonitrile		(B)		
Methanethiol		A	0.1	0.05
3-Methoxybutyl acetate	2708	D		
Methyl acrylate	1919	C		
Methylamine solutions (42% or less)	1235	C		
Methyl amyl acetate	1233	(C)		
Methyl amyl alcohol	2053	(C)		
Methyl amyl ketone	1110	(C)		
Methyl benzoate	2938	B		

Methyl tert-butyl ether	2398	D		
2-Methyl butyraldehyde		(C)		
4, 4'-Methylene dianiline and its higher molecular weight polymers/o-Dichlorobenzene mixtures		B		
Methylethanolamine		C		3
2-Methyl-6-ethylaniline		C		
Methyl ethyl ketone	1193	D		
2-Methyl-5-ethyl pyridine	2300	(B)		
Methyl formate	1243	D		
Methyl isobutyl ketone	1245	D		
Methyl methacrylate	1247	D		
alpha-Methylnaphthalene		A	0.1	0.05
beta-Methylnaphthalene		(A)	0.1	0.05
Methyl naphthalene		A	0.1	0.05
2-Methyl-1-penetene	2288	C		
Methylpropyl ketone	1249	D		
2-Methylpyridine	2313	B		
4-Methylpyridine	2313	B		
N-Methyl-2-pyrrolidone		B		
Methyl salicylate		(B)		
alpha-Methylstyrene	2303	A	0.1	0.05
Morpholine	2054	D		
Motor fuel anti-knock compounds	1649	A	0.1	0.05
Naphthalene (molten)	2304	A	0.1	0.05
Naphthenic acids		(A)	0.1	0.05
Neodecanoic acid		(B)		
Nitrating acid (mixture of sulphuric and nitric acids)	1796	(C)		
Nitric acid (less than 70%)	2031	C		
Nitric acid (70% and over)	20312032	C		
Nitrilotriacetic acid, trisodium salt solution		D		
Nitrobenzene	1662	B		
Nitroethane	2842	(D)		
Nitromethane	1261	(D)		
o-Nitrophenol (molten)	1663	B		
1- or 2-Nitropropane	2608	D		
Nitropropane (60%)/Nitroethane (40%) mixture	1993	D		
Nitrotoluenes	1664	C		
Nonane	1920	(D)		
Nonanoic acid		D		
Nonene		B		
Nonyl alcohol		C		
Nonyl phenol		A	0.1	0.05
Nonylphenol poly (4-12) ethoxylates		B		
9, 12-Octadecadienoic acid (Linoleic acid)		D		
9, 12, 15-Octadecatrienoic acid (Linolenic acid)		D		
Octane	1262			

		(D)		
Octanol (all isomers)		C		
Octene (all isomers)		B		
n-Octyl acetate		(D)		
Octyl decyl phthalate		D		
Olefins, straight chain, mixtures		B		
Olefins (C 6 -C 8 mixtures)		B		
alpha-Olefins (C 6 -C 18 mixtures)		B		
Oleic acid		(D)		
Oleum	1831	C		
Olive oil		D		
Oxalic acid (10-25%)		D		
Palm nut oil		D		
Palm oil		D		
Palm oil, methyl ester		D		
Palm stearin		D		
n-Paraffin (C 10 -C 20)		(D)		
Paraldehyde	1264	C		
Pentachloroethane	1669	B		
1,3-Pentadiene		C		
Pentaethylenehexamine/Tetraethylenepentamine mixture		D		
n-Pentane	1265	C		
1-Pentanol	1105	D		
2-Pentanol	1105	(D)		
3-Pentanol	1105	(D)		
Pentene (all isomers)		C		
Perchloroethylene	1897	B		
Phenol	2312	B		
1-Phenly-1-xylyl ethane		C		
Phosphoric acid	1805	D		
Phosphorus, yellow or white	2447	A	0.01	0.005
Phosphorus oxychloride	1810	D		
Phosphorus trichloride	1809	D		
Phthalic anhydride	2214	C		
Pinene	2368	A	0.1	0.05
Polyalkylene glycol butyl ether		(D)		
Polyethylene polyamines	27342735	(C)		
Polymethylene polyphenyl isocyanate	22062207	D		
Polypropylene glycols		D		
Potassium hydroxide solution	1814	C		
Potassium silicate solution		(D)		
n-Propanolamine		C		
beta-Propiolactone		D		
Propionaldehyde	1275	D		
Propionic acid	1848	D		
Propionic anhydride	2496	C		

Propionitrile	2404	C		
n-Propyl acetate	1276	D		
n-Propyl alcohol	1274	D		
n-Propylamine	1277	C		
n-Propyl benzene	2364	(C)		
n-Propyl chloride	1278	B		
Propylene dimer		(C)		
Propylene glycol ethyl ether		(D)		
Propylene glycol methyl ether		(D)		
Propylene oxide	1280	D		
Propylene trimer	2057	B		
Pyridine	1282	B		
Rape seed oil		D		
Rice bran oil		D		
Rosin		A	0.1	0.05
Rosin soap (disproportionated) solution		B		
Safflower oil		D		
Sesame oil		D		
Silicon tetrachloride	1818	D		
Sodium aluminate solution	1819	C		
Sodium borohydride (15% or less)/Sodium hydroxide solution		C		
Sodium dichromate solution (70% or less)		B		
Sodium hydrogen sulphite solution	2693	D		
Sodium hydrosulphide solution (45% or less)	2949	B		
Sodium hydrosulphide/Ammonium sulphide solution		B		
Sodium hydroxide solution	1824	D		
Sodium hypochlorite solution (15% or less)	1791	B		
Sodium nitrite solution	1577	B		
Sodium silicate solution		D		
Sodium sulphide solution	1849	B		
Sodium sulphite solution		(C)		
Soya bean oil		D		
Sperm oil		D		
Styrene monomer	2055	B		
Sulphuric acid	1830	C		
Sulphuric acid, spent	1832	C		
Sulphurous acid	1833	(C)		
Sunflower oil		D		
Tall oil, crude and distilled		A	0.1	0.05
Tall oil fatty acid (resin acids less than 20%)		(C)		
Tall oil soap (disproportionated) solution		B		
Tallow		D		
Tannic acid		C		
Tetrachloroethane	1702	B		
Tetraethylenepentamine	2320	D		
Tetra hydrofuran	2056	D		
Tetrahydronaphthalene		C		
1,2,3,5-Tetramethylbenzene		(C)		
Titanium tetrachloride	1838			

		(D)		
Toluene	1294	C		
Toluenediamine	1709	C		
Toluene diisocyanate	2078	C		
o-Toluidine	1708	C		
Tributyl phosphate		B		
1,2,4-Trichlorobenzene	2321	B		
1,1,1-Trichloroethane	2831	B		
1,1,2-Trichloroethane		B		
Trichloroethylene	1710	B		
1,2,3-Trichloropropane		B		
1,1,2-Trichloro- 1,2,2-triflouroethane		C		
Tricresyl phosphate (containing less than 1% ortho-isomer)		A	0.1	0.05
Tricresyl phosphate (containing 1% or more ortho-isomer)	2574*	A	0.1	0.05
Triethanolamine		D		
Triethylamine	1296	C		
Triethylbenzene		A	0.1	0.05
Triethyl glycol methyl ether		(D)		
Triethylenetramine	2259	D		
Triethyl phosphate		D		
Triisopropanolamine		D		
Trimethylacetic acid		D		
Trimethylamine		C		
1,2,3-Trimethylbenzene		(B)		
1,2,4-Trimethylbenzene		B		
1,3,5-Trimethylbenzene	2325	(B)		
Trimethylhexamethyl diamine (2,2,4- and 2,4,4-isomers)	2327			
Trimethylhexamethylene diisocyanate (2,2,4- and 2,4,4-isomers)	2328	B		
Trimethylol propane polyethoxylate		D		
2,2,4-Trimethyl-1,3-penthanediol-1-iso-butyrate		C		
Tripropylene glycol methyl ether		(D)		
Trixylyl phosphate		A	0.1	0.05
Tung oil		D		
Turpentine	1299	B		
Undecane	2330	(D)		
1-Undecene		B		
Undecyl alcohol		B		
Urea, Ammonium nitrate solution		D		
Urea, Ammonium phosphate solution		D		
Urea, Ammonium nitrate solution (containing aqua Ammonia)		C		
n-Valeraldehyde	2058	D		
Vinyl acetate	1301	C		
Vinyl ethyl ether	1302	C		
Vinylidene chloride	1303	B		
Vinyl neodecanoate		C		
Vinyl toluene	2618	A	0.1	0.05
White spirit, low (15-20%) aromatic	1300			

		(B)		
Xylene	1307	C		
Xylenol	2261	B		

*UN number 2574 applies to Tricresyl phosphate containing more than 3% ortho-isomer.

APPENDIX III – LIST OF OTHER LIQUID SUBSTANCES

Existing list is replaced by the following:

Substance	UN Number
Acetone	1090
Acetonitrile	1648
Alcohols, C 1, C 2, C 3 as individuals and mixtures	
Alcohols, C 4	
Alcohols, C 13 and above as individuals and mixtures	
Alum (15% solution)	
tert-Amyl alcohol	1105
n-Butyl alcohol	1120
sec-Butyl alcohol	1120
tert-Butyl alcohol	1120
Butyl stearate	
Calcium bromide solution	
Cetyl/Eicosyl methacrylate mixture	
Citric juice	
Dextrose solution	
Dibutyl sebacate	
Dicyclopentadiene	2048
Diethanolamine	
Diethylene glycol	
Diethylene glycol diethyl ether	
Diethylene glycol butyl ether	
Diethylene glycol ethyl ether	
Diethylenetriamine pentaacetic acid, pentasodium salt solution	
Diethyl ether	1155
Diethyl ketone	1156
Diheptyl phthalate	
Dihexyl phthalate	
Dioctyl phthalate	
Dipropylene glycol	
Dodecyl methacrylate	
Dodecyl/Pentadecyl methacrylate mixture	
Ethyl alcohol	1170
Ethylene carbonate	
Ethyl glycol butyl ether	2369
Ethylene glycol tertiary butyl ether	
Ethylene-vinylacetate copolymer (emulsion)	
Glycerin	
Glycerine sodium salt solution	
1-Heptadecene	

n-Heptane	1206
1-Hexadecene	
n-Hexane	1208
Hexylene glycol	
Isobutyl alcohol	1212
Isopropyl acetate	1220
Isopropyl alcohol	1219
Lard	
Latex (carboxylated styrene/butadiene copolymer)	
Lignin sulphonic acid, salt (low COD) solution	
Magnesium chloride solution	
Magnesium hydroxide slurry	
3-Methoxy-1-butanol	
Methyl acetate	1231
Methyl alcohol	1230
2-Methyl-2-hydroxy-3-butyne	
3-Methyl-3-methoxy butanol	
3-Methyl-3-methoxy butyl acetate	
2-Methylpentane*	1208
Milk	
Molasses	
1-Octadecanol	
Olefins (C 13 and above, all isomers)	
Paraffin wax	
1-Pentadecene	
Petroleum spirit	1271
Polyaluminium chloride solution	
Polybutene	
Polyethylene glycols	
Polyethylene glycol dimethyl ether	
Polypropylene glycol methyl ether	
Polysiloxane	
1,2-Propylene glycol	
Propylene tetramer	2850
Sodium alumino silicate slurry	
Sodium chlorate solution (50% or less)	2428
Sodium salicylate	
Sorbitol	
Sulpholane*	
Sulphur (molten)	2448
1-Tetradecanol	
Tetradecene	
Tridecanol	
Tridecene	
Triethylene glycol	
Triethylene glycol butyl ether	
Triisobutylene	2324
Tripropylene butyl glycol	
Urea solution	
Urea resin solution	
Vegetable protein solution (hydrolyzed)	

Wine	

*Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

APPENDIX IV – CARGO RECORD BOOK FOR SHIPS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK

The existing Appendix IV is replaced by the following:

"Appendix IV – FORM OF CARGO RECORD BOOK
CARGO RECORD BOOK FOR SHIPS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK

Name of ship	:
Distinctive number or letters	:
Gross tonnage	:

Period from:to:[lhrule]

Every ship carrying noxious liquid substances in bulk shall be provided with a Cargo Record Book to record relevant cargo/ballast operations.

NAME OF SHIP:
DISTINCTIVE NUMBER OR LETTERS:
PLAN VIEW OF CARGO AND SLOP TANKS
(to be completed on board)

INTRODUCTION The following pages show 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 Record Book, the date, operational code and item number shall be inserted in the appropriate columns and the required particulars shall be recorded chronologically in the blank spaces.Each completed operation shall be signed for and dated by the officer or officers in charge and, if applicable, by a surveyor authorized 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.
4. Identity of tanks.
   .1 From:
   .2 To:
5. Was (were) tank(s) in 4.1 emptied?
6. If not, quantity remaining in tank(s).

(C) UNLOADING OF CARGO

7. Place of unloading.
8. Identity of tank(s) unloaded.

9. Was (were) tank(s) emptied?

.1 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).

.2 If not, quantity remaining in tank(s).

10. Does the ship's Procedures and Arrangements Manual require a prewash with subsequent disposal to reception facilities?

11. Failure of pumping and/or stripping system.

.1 Time and nature of failure.

.2 Reasons for failure.

.3 Time when system has been made operational.

(D) MANDATORY PREWASH IN ACCORDANCE WITH THE SHIP'S PROCEDURES AND ARRANGEMENTS MANUAL

12. Identify tank(s), substance(s) and category(ies).

13. Washing method:

.1 Number of washing machines per tank.

.2 Duration of wash/washing cycles.

.3 Hot/cold wash.

14. Prewash slops transferred to:

.1 Reception facility in unloading port (identify port).

.2 Reception facility otherwise (identify port).

(E) CLEANING OF CARGO TANKS EXCEPT MANDATORY PREWASH (OTHER PREWASH OPERATIONS, FINAL WASH, VENTILATION ETC.)

15. State time, identify tank(s), substance(s) and category(ies) and state:

.1 Washing procedure used.

.2 Cleaning agent(s) (identify agent(s) and quantities).

.3 Dilution of cargo residues with water, state how much water used (only Category D substances).

.4 Ventilation procedure used (state number of fans used, duration of ventilation).

16. Tanks washings transferred:

.1 Into the sea.

.2 To reception facility (identify port).

.3 To slops collecting tank (identify tank).

(F) DISCHARGE INTO THE SEA OF TANK WASHINGS

17. Identify tank(s).

.1 Were tank washings discharged during cleaning of tank(s), if so at what rate?

.2 Were tank washing(s) discharged from a slops collecting tank. If so, state quantity and rate of discharge.

18. Time commenced and stopped pumping.

19. Ship's speed during discharge.

(G) BALLASTING OF CARGO TANKS

20. Identity of tank(s) ballasted.

21. Time at start of ballasting.

(H) DISCHARGE OF BALLAST WATER FROM CARGO TANKS

22. Identity of tank(s).

23. Discharge of ballast:

.1 Into the sea.

.2 To reception facilities (identify port).

24. Time commenced and stopped ballast discharge.

25. Ship's speed during discharge.

(I) ACCIDENTAL OR OTHER EXCEPTIONAL DISCHARGE

26. Time of occurrence.
27. Approximate quantity, substance(s) and category(ies).
28. Circumstances of discharge or escape and general remarks.

(J) CONTROL BY AUTHORIZED SURVEYORS

29. Identify port.
30. Identify tank(s), substance(s), category(ies) discharged ashore.
31. Have tank(s), pump(s), and piping system(s) been emptied?
32. Has a prewash in accordance with the ship's Procedures and Arrangements Manual been carried out?
33. Have tank washings resulting from the prewash been discharged ashore and is the tank empty?
34. An exemption has been granted from mandatory prewash.
35. Reasons for exemption.
36. Name and signature of authorized surveyor.
37. Organization, 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 operations/signature of officer in charge/name of and signature of authorized surveyor

	Signature of Master

APPENDIX V – FORM OF CERTIFICATE

The existing form of the Certificate is replaced by the following:

"INTERNATIONAL POLLUTION PREVENTION CERTIFICATE FOR THE CARRIAGE OF NOXIOUS LIQUID SUBSTANCES IN BULK

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 as amended (hereinafter referred to as " **"the Convention"** ") under the authority of the Government of

(full official designation of the country)

by
(full official designation of the competent person or organization authorized under the provisions of the Convention)

Name of ship	Distinctive number of letters	Port of registry	Gross tonnage

THIS IS TO CERTIFY:

1 That the ship has been surveyed in accordance with the provisions of Regulation 10 of Annex II of the Convention.

2 That the survey showed that the structure, equipment, systems, fitting, 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 II of the Convention.

3 That the ship has been provided with a manual in accordance with the standards for procedures and arrangements as called for by Regulation 5, 5A and 8 of Annex II of the Convention, and that the arrangements and equipment of the ship prescribed in the manual are in all respects satisfactory and comply with the applicable requirements of the said Standards.

4 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(tank numbers etc.)
*Continued on additional signed and dated sheets	

This certificate is valid, untilsubject to surveys in accordance with Regulation 10 of Annex II of the Convention
Issued at
(place of issue of Certificate)

19	
(Date of issue)	(Signature of duly authorized official issuing the Certificate)

(Seal or stamp of the issuing Authority, as appropriate)
*Delete as necessary
ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS
THIS IS TO CERTIFY that at a survey required by Regulation 10 of Annex II of the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey:	Signed:
	(signature of duly authorized official)
	Place:
	Date:

(seal or stamp of the Authority, as appropriate)

Annual*/Intermediate* survey:	Signed:
	(signature of duly authorized

	official)
	Place:
	Date:

(seal or stamp of the Authority, as appropriate)
*Delete as appropriate

Annual*/Intermediate* survey:	Signed:
	(signature of duly authorized official)
	Place:
	Date:

(seal or stamp of the Authority, as appropriate)
*Delete as appropriate

Annual survey:	Signed:
	(signature of duly authorized official)
	Place:
	Date:

(seal or stamp of the Authority, as appropriate)

Schedule 5

Section 3

INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973
THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38 (a) of the Convention of the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING Article 16 of the *International Convention for the Prevention of Pollution from Ships, 1973* (hereinafter referred to as the " **"1973 Convention"** ") and Article VI of the Protocol of 1978 relating to the 1973 Convention (hereinafter referred to as the " **"1978 Protocol"** ") which together specify the amendment procedure of the 1978 Protocol and confers upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention as modified by the 1978 Protocol (MARPOL 73/78),

HAVING CONSIDERED at its twenty-second session amendments to the 1978 Protocol proposed and circulated in accordance with article 16 (2) (a) of the 1973 Convention,

1. ADOPTS in accordance with article 16 (2) (d) of the 1973 Convention amendments to the 1978 Protocol (relating to Protocol I of MARPOL 73/78), the text of which is set out in the Annex to the present resolution;

2. DETERMINES in accordance with article 16 (2) (f) (iii) of the 1973 Convention that the amendments shall be deemed to have been accepted on 5 October 1986 unless prior to this date one third or more of the Parties or the Parties combined merchant fleets of which constitute fifty

per cent or more of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;

3. INVITES the Parties to note that in accordance with article 16 (2) (g) (ii) of the 1973 Convention the amendments shall enter into force on 6 April 1987 upon their acceptance in accordance with paragraph 2 above;

4. REQUESTS the Secretary-General in conformity with article 16 (2) (e) of the 1973 Convention to transmit to all Parties to the 1978 Protocol certified copies of the present resolution and the text of the amendments contained in the Annex;

5. FURTHER REQUESTS the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1987 Protocol copies of the resolution and its Annex.

ANNEX – INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

PROTOCOL I – PROVISIONS CONCERNING REPORTS ON INCIDENTS INVOLVING HARMFUL SUBSTANCES

(in accordance with Article 8 of the Convention)

The existing text of Protocol I is replaced by the following:

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, charterer, manager or operator of the ship, or their agent 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 or probable discharge of oil; or noxious liquid substances carried in bulk, resulting from damage to the ship or its equipment, or for the purpose of securing the safety of a ship or 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 shipborne barges; or

(c) 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 purposes of this Protocol:

(a) " **"Oil"** " referred to in sub-paragraph 1 (a) of this Article means oil as defined in Regulation 1 (1) of Annex I of the Convention.

(b) " **"Noxious liquid substances"** " referred to in sub-paragraph 1 (a) of this 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 sub-paragraph 1 (b) of this Article means substances which are identified as marine pollutants in the International Maritime 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 measures.

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 Organization."

Schedule 6 Repeals and savings and transitional provisions

(Section 64)

Part 1 – Repeals

Prevention of Oil Pollution of Navigable Waters Act 1960 No 48

Prevention of Oil Pollution of Navigable Waters (Amendment) Act 1985 No 69

Part 2 – Savings and transitional provisions

1 Definitions
In this Part:

"former Act" means the *Prevention of Oil Pollution of Navigable Waters Act 1960*.

2 Notices relating to pollution
Nothing in this Act affects any notice issued under section 7A or 7F of the former Act before the commencement of Part 6 of this Act and the provisions of the former Act shall continue to apply in respect of any such notice as if the former Act were still in force.

3 Notices relating to oil transfer restrictions
A permission granted under section 13 of the former Act shall be deemed to have been granted under section 32.

4 Regulations

(1) The regulations may contain other provisions of a savings or transitional nature consequent on the enactment of the following:
(a) this Act,
(b) *Miscellaneous Acts (Marine Pollution) Amendment Act 1987*,
(c) *Marine Legislation Amendment (Marine Pollution) Act 2002*.
(2) A provision referred to in subclause (1) may, if the regulations so provide, take effect

as from the appointed day or a later day.

(3) To the extent to which a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

(4) A provision referred to in subclause (1) shall, if the regulations so provide, have effect notwithstanding any other clause of this Schedule.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	No	number	Schs	Schedules
Cl	clause	p	page	Sec	section
Cll	clauses	pp	pages	Secs	sections
Div	Division	Reg	Regulation	Subdiv	Subdivision
Divs	Divisions	Regs	Regulations	Subdivs	Subdivisions
GG	Government Gazette	Rep	repealed	Subst	substituted
Ins	inserted	Sch	Schedule		

Table of amending instruments *Marine Pollution Act 1987 No 299*. Assented to 16.12.1987. Date of commencement, 4.5.1990, sec 2 and GG No 57 of 4.5.1990, p 3509. This Act has been amended as follows:

1991	No 81	*Marine Pollution (Amendment) Act 1991*. Assented to 17.12.1991.Date of commencement, 20.12.1991, sec 2 and GG No 180 of 20.12.1991, p 10555.
1993	No 66	*Marine Pollution (Penalties) Amendment Act 1993*. Assented to 9.11.1993.Date of commencement, 1.12.1993, sec 2 and GG No 130 of 26.11.1993, p 6964.
1995	No 13	*Ports Corporatisation and Waterways Management Act 1995*. Assented to 15.6.1995.Date of commencement, 1.7.1995, sec 2 and GG No 79 of 30.6.1995, p 3435.
1997	No 156	*Protection of the Environment Operations Act 1997*. Assented to 19.12.1997.Date of commencement, 1.7.1999, sec 2 and GG No 178 of 24.12.1998, p 9952.
1998	No 121	*Marine Safety Act 1998*. Assented to 26.11.1998.Date of commencement of Sch 3.6 [2] and [3], 1.7.2003, sec 2 and GG No 104 of 27.6.2003, p 5979; date of commencement of Sch 3.6 [1]: not in force.
2002	No 75	*Marine Legislation Amendment (Marine Pollution) Act 2002*. Assented to 2.10.2002.Date of commencement, 1.11.2002, sec 2 and GG No 204 of 1.11.2002, p 9433.
	No 112	*Statute Law (Miscellaneous Provisions) Act (No 2) 2002*. Assented to 29.11.2002.Date of commencement of Sch 2.11, assent, sec 2 (3).
2006	No 84	*Ports Corporatisation and Waterways Management Amendment Act 2006*. Assented to 30.10.2006.Date of commencement, assent, sec 2.

Table of amendments

Sec 3	Am 1995 No 13, Sch 4.14 [1] [2]; 2002 No 75, Sch 1 [1]; 2006 No 84, Sch 2.7 [1].

Sec 5A	Ins 1995 No 13, Sch 4.14 [3]. Am 2006 No 84, Sch 2.7 [2].
Sec 6	Am 1995 No 13, Sch 4.14 [4].
Part 2, Div 1, heading	Ins 2002 No 75, Sch 1 [2].
Sec 8	Am 1993 No 66, Sch 1 (1); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [3]-[7].
Sec 8A	Ins 2002 No 75, Sch 1 [8].
Sec 9	Am 1993 No 66, Sch 1 (2); 2002 No 75, Sch 1 [9] [10].
Sec 10	Am 1993 No 66, Sch 1 (3); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [11]-[15].
Sec 11	Am 1993 No 66, Sch 1 (4).
Sec 12	Am 1993 No 66, Sch 1 (5).
Sec 13	Am 1993 No 66, Sch 1 (6).
Part 2, Div 2	Ins 2002 No 75, Sch 1 [16].
Sec 13A	Ins 2002 No 75, Sch 1 [16].
Sec 13B	Ins 2002 No 75, Sch 1 [16]. Am 2006 No 84, Sch 2.7 [3].
Sec 18	Am 1993 No 66, Sch 1 (7); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [17]-[21].
Sec 18A	Ins 2002 No 75, Sch 1 [22].
Sec 19	Am 2002 No 75, Sch 1 [23] [24].
Sec 20	Am 1993 No 66, Sch 1 (8); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [25]-[29].
Sec 21	Am 1993 No 66, Sch 1 (9).
Sec 22	Am 1993 No 66, Sch 1 (10).
Sec 23	Am 1993 No 66, Sch 1 (11).
Sec 25	Am 2002 No 75, Sch 1 [30] [31]; 2002 No 112, Sch 2.11.
Sec 27	Am 1993 No 66, Sch 1 (12); 1997 No 156, Sch 4.12; 2002 No 75, Sch 1 [32] [33].
Sec 28	Am 1993 No 66, Sch 1 (13); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [34] [35].
Sec 29	Am 1993 No 66, Sch 1 (14).
Sec 32	Am 1993 No 66, Sch 1 (15); 1995 No 13, Sch 4.14 [5].
Secs 36, 37, 41, 42	Am 1995 No 13, Sch 4.14 [5].
Sec 45	Am 1993 No 66, Sch 1 (16); 1995 No 13, Sch 4.14 [5] [6].
Sec 46	Am 1991 No 81, Sch 1 (1); 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [36] [37].
Sec 47	Am 1991 No 81, Sch 1 (1); 1995 No 13, Sch 4.14 [5].
Sec 48	Am 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [38].
Sec 50	Am 1993 No 66, Sch 1 (17); 1995 No 13, Sch 4.14 [5].
Sec 51	Am 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [39].
Sec 52	Am 1991 No 81, Sch 1 (2); 1995 No 13, Sch 4.14 [5].
Sec 52A	Ins 1991 No 81, Sch 1 (3). Am 1995 No 13, Sch 4.14 [5].
Sec 52B	Ins 1991 No 81, Sch 1 (3). Am 1995 No 13, Sch 4.14 [5]; 2002 No 75, Sch 1 [40].
Sec 52C	Ins 1991 No 81, Sch 1 (3). Am 1993 No 66, Sch 1 (18).
Sec 53	Am 1993 No 66, Sch 1 (19); 1995 No 13, Sch 4.14 [5].
Sec 55	Am 1995 No 13, Sch 4.14 [7].
Sec 57	Am 2002 No 75, Sch 1 [41]-[43].
Sec 58	Am 1995 No 13, Sch 4.14 [5] [8].
Secs 59, 60	Am 1995 No 13, Sch 4.14 [5].
Sec 61	Am 1998 No 121, Sch 3.6 [2] [3].

Sch 6	Am 2002 No 75, Sch 1 [44].