

Contents (2017 - 98)

Pollution of Waters by Oil and Noxious Substances Regulations 2017

Long Title

1. Short title
2. Commencement
3. Interpretation
4. Prescribed office for the purposes of section 3(2)(b) of Act
5. Prescribed manner of notifying prescribed officer of incident
6. Prescribed forms for requested report of incident

Schedule 1 - Forms

Pollution of Waters by Oil and Noxious Substances Regulations 2017

Version current from 13 December 2017 to date (accessed 19 October 2018 at 14:41)



Pollution of Waters by Oil and Noxious Substances Regulations 2017

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the Pollution of Waters by Oil and Noxious Substances Act 1987 .

4 December 2017

C. WARNER

Governor

By Her Excellency's Command,

ELISE ARCHER

Minister for Environment and Parks

1. Short title

These regulations may be cited as the Pollution of Waters by Oil and Noxious Substances Regulations 2017 .

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

3. Interpretation

(1) In these regulations –

Act means the Pollution of Waters by Oil and Noxious Substances Act 1987 .

(2) In these regulations, a reference to a form by number is a reference to the form so numbered in Schedule 1 .

(3) Unless otherwise specified, an expression that is used in these regulations and in the Convention (whether or not a particular meaning is assigned to it by the Convention) has, in these regulations, the same meaning as in the Convention.

4. Prescribed office for the purposes of section 3(2)(b) of Act

For the purposes of section 3(2)(b) of the Act, the office of Deputy Secretary of the Department, being the Deputy Secretary responsible for the management of the division of the Department that makes officers and employees available to the Environment Protection Authority in accordance with section 19 of the *Environmental Management and Pollution Control Act 1994*, is prescribed as the office for the purposes of sections 8 , 13 , 20 , 25 , 25C , 25F , 25H and 25I of the Act.

5. Prescribed manner of notifying prescribed officer of incident

For the purposes of section 25I(1) and (3) of the Act, the prescribed manner in which the master of a ship must notify a prescribed officer of an incident in relation to a ship is by a message that –

(a) commences with the code letters "POLREP" and the name, IMO number and radio call-sign of the ship; and

(b) is conveyed to the prescribed officer, using the contact information for the prescribed officer published by the Department, by –

(i) telephone; or

(ii) radio; or

(iii) email.

6. Prescribed forms for requested report of incident

For the purposes of sections 25I(6) and (7) of the Act –

(a) the prescribed form for a requested report of an incident in relation to a ship is –

(iv) Form 1, if the incident relates to the discharge, or probable discharge, from the ship of oil or an oily mixture contrary to section 8(1) of the Act, other than a discharge to which section 8(6) of the Act applies; and

(v) Form 2, if the incident relates to the discharge, or probable discharge, from the ship of a noxious liquid substance, or a mixture containing a noxious liquid substance, carried as cargo or part cargo in bulk contrary to section 20(1) of the Act, other than a discharge to which section 20(4) , (5) , (6) , (7) , (8) , (9) , (10) , (11) or (12) of the Act applies; and

(vi) Form 3, if the incident relates to the jettisoning, or probable jettisoning, from the ship of a harmful substance carried as cargo in packaged form contrary to section 25C(1) of the Act; and

(vii) Form 4, if the incident relates to the disposal, or probable disposal, of garbage from the ship contrary to section 25F(1) of the Act; and

(b) the prescribed time within which that report must be furnished to a prescribed officer is within 24 hours immediately after the receipt of the request for the report from the prescribed officer.

SCHEDULE 1 - Forms

Form 1 - Oil

Regulation 6

To: Deputy Secretary
EPA Tasmania
Department of Primary Industries, Parks, Water and Environment
Hobart

Telephone: +61 (0)3 6165 4599
Freecall: 1800 005 171 (within Tasmania)
Facsimile: +61 (0)3 6173 0254
Email: incidentresponse@environment.tas.gov.au

MARINE POLLUTION DISCHARGE REPORT (POLREP)

OIL

(Note: If any of the following items of the ship reporting format is inapplicable it should be omitted from the report. These items of the standard reporting format are referred to in IMO Resolution A.851(20).)

A.	Name of ship	Call sign
	<input type="text"/>	<input type="text"/>
	Flag	IMO number
	<input type="text"/>	<input type="text"/>
B.	Date and time of event <i>(Note: Time must be expressed as Coordinated Universal Time (UTC))</i>	
	<input type="text"/>	
C.	Position: latitude and longitude	
	<input type="text"/>	
	or	
D.	Position: true bearing and distance	
	<input type="text"/>	
E.	True course (as a 3-digit group)	
	<input type="text"/>	
F.	Speed (in knots and tenths of a knot, as a 3-digit group)	
	<input type="text"/>	
L.	Route information – details of intended track	
	<input type="text"/>	
M.	Full details of radio stations and frequencies being guarded	
	<input type="text"/>	
N.	Time of next report <i>(Note: Time must be expressed as Coordinated Universal Time (UTC))</i>	
	<input type="text"/>	
P.	Type and quantities of cargo and bunker on board	
	<input type="text"/>	

To: Deputy Secretary
EPA Tasmania
Department of Primary Industries, Parks, Water and Environment
Hobart

Telephone: +61 (0)3 6165 4599
Freecall: 1800 005 171 (within Tasmania)
Facsimile: +61 (0)3 6173 0254
Email: incidentresponse@environment.tas.gov.au

MARINE POLLUTION DISCHARGE REPORT (POLREP)

NOXIOUS LIQUID SUBSTANCES

(Note: If any of the following items of the ship reporting format is inapplicable it should be omitted from the report. These items of the standard reporting format are referred to in IMO Resolution A.851(20).)

A.	Name of ship	Call sign
	<input type="text"/>	<input type="text"/>
	Flag	IMC number
	<input type="text"/>	<input type="text"/>
B.	Date and time of event <i>(Note: Time must be expressed as Coordinated Universal Time (UTC))</i>	
	<input type="text"/>	
C.	Position: latitude and longitude	
	<input type="text"/>	
	or	
D.	Position: true bearing and distance	
	<input type="text"/>	
E.	True course (as a 3-digit group)	
	<input type="text"/>	
F.	Speed (in knots and tenths of a knot, as a 3-digit group)	
	<input type="text"/>	
L.	Route information – details of intended track	
	<input type="text"/>	
M.	Full details of radio stations and frequencies being guarded	
	<input type="text"/>	
N.	Time of next report <i>(Note: Time must be expressed as Coordinated Universal Time (UTC))</i>	
	<input type="text"/>	
P.	Type of oil or the correct technical name for the noxious liquid substances on board	UN number or numbers, if available
	<input type="text"/>	<input type="text"/>
	Pollution category (X, Y or Z) for each noxious liquid substance	
	<input type="text"/>	

Names of manufacturers of substances or consignee or consignor	Estimate of the quantity of the substances
--	--

Q. Brief details of defects, damage, deficiencies or other limitation.
These must include the condition of the ship and the ability to transfer cargo, ballast or fuel.

--

R. Type of oil or the correct technical name for the noxious liquid substance discharged into the sea		UN number or numbers, if available
Pollution category (X, Y or Z) for each noxious liquid substance		
Names of manufacturers of substances or consignee or consignor		
Estimate of the quantity of the substances	Whether the substances floated or sank	Whether loss is continuing
Cause of loss		
Estimate of the movement of the discharge or lost substances, giving current conditions, if known		
Estimate of the surface area of the spill		

S. Weather and sea conditions, including wind force and direction and relevant tidal or current details

--

T. Name, address, telephone number and email address of the vessel's owner and representative (manager or operator of the ship, or the agent of the manager or operator)

Owner		Representative	
Telephone	Email address	Telephone	Email address

U. Type of ship	Length	Breadth	Tonnage

X. 1. Action being taken with regard to the discharge and to the movement of the ship

--

2. Assistance or salvage efforts which have been requested or which have been provided by others

--

3. The master of an assisting or salvaging ship should report the particulars of the action undertaken or planned

--

Form 3 - Packaged Harmful Substances

To: Deputy Secretary
EPA Tasmania
Department of Primary Industries, Parks, Water and Environment
Hobart

Telephone: +61 (0)3 6165 4599
Freecall: 1800 005 171 (within Tasmania)
Facsimile: +61 (0)3 6173 0254
Email: incidentresponse@environment.tas.gov.au

MARINE POLLUTION DISCHARGE REPORT (POLREP)
PACKAGED HARMFUL SUBSTANCES

(Note: If any of the following items of the ship reporting format is inapplicable it should be omitted from the report. These items of the standard reporting format are referred to in IMO Resolution A.851(20).)

A.	Name of ship	Call sign/ship station identity
	<input type="text"/>	<input type="text"/>
	Flag	IMO number
	<input type="text"/>	<input type="text"/>
B.	Date and time of event <i>(Note: Time must be expressed as Coordinated Universal Time (UTC))</i>	
	<input type="text"/>	
C.	Position: A 4-digit group giving latitude in degrees and minutes suffixed with N (north) or S (south) and a 5-digit group giving longitude in degrees and minutes suffixed with E (east) and W (west)	
	<input type="text"/>	
	or	
D.	Position: True bearing (first 3 digits) and distance in nautical miles from a clearly identified landmark (state landmark)	
	<input type="text"/>	
M.	Radio communications: Full details of radio stations and frequencies being guarded	
	<input type="text"/>	
P.	Probable discharge	
	1. Correct technical name or names of goods	2. UN number or numbers, if available
	<input type="text"/>	
	3. IMO hazard class or classes	
	<input type="text"/>	
	4. Names of manufacturers of goods if known, or consignee or consignor	
	<input type="text"/>	
	5. Types of packages, their identification marks, kind of cargo transport unit (e.g. portable tank, tank vehicle, vehicle container, freight container) from which they were discharged, official registration marks and identification number of the cargo transport unit	
	<input type="text"/>	
	6. Estimate of the quantity and likely condition of the goods	
	<input type="text"/>	

Q. Condition of ship if relevant to discharge

--

Discharge

R. 1. Correct technical name or names of goods	2. UN number or numbers, if available
3. IMO hazard class or classes	
4. Names of manufacturers of goods if known, or consignee or consignor	
5. Types of packages, their identification marks, kind of cargo transport unit (e.g. portable tank, tank vehicle, vehicle container, freight container) from which they were discharged, official registration marks and identification number of the cargo transport unit	
6. Estimate of the quantity and likely condition of the goods	
7. Whether lost goods floated or sank	
8. Whether loss is continuing	
9. Cause of loss	

S. Weather conditions: Give brief details of weather and sea conditions prevailing

--

T. Name, address, telephone number and email address of the vessel's owner and representative (manager or operator of the ship, or the agent of the manager or operator)

Owner		Representative	
Telephone	Email address	Telephone	Email address

U. 1. Type of ship	2. Length	3. Breadth	4. Tonnage

X. 1. Action being taken with regard to the discharge and the movement of the ship
2. Assistance or salvage efforts that have been requested or that have been provided by others
3. Particulars of action planned by assisting or salvaging ship

Form 4 - Garbage

To: Deputy Secretary
EPA Tasmania
Department of Primary Industries, Parks, Water and Environment
Hobart

Telephone: +61 (0)3 6165 4599
Freecall: 1800 005 171 (within Tasmania)
Facsimile: +61 (0)3 6173 0254
Email: incidentresponse@environment.tas.gov.au

MARINE POLLUTION DISCHARGE REPORT (POLREP)

GARBAGE

(Note: If any of the following items of the ship reporting format is inapplicable it should be omitted from the report.)

A. Name of ship Call sign
Flag IMO number

B. Date and time of event (Note: Time must be expressed as Coordinated Universal Time (UTC))

C. Position: latitude and longitude

or

D. Position: true bearing and distance

E. True course (as a 3-digit group)

F. Speed (in knots and tenths of a knot, as a 3-digit group)

L. Route information – details of intended track

M. Full details of radio stations and frequencies being guarded

N. Time of next report (Note: Time must be expressed as Coordinated Universal Time (UTC))

Q. Details of accidental loss or discharge of fishing gear (in accordance with regulation 10.6 of Annex V of MARPOL)

R. Brief details of actual discharge. These should include the type(s) of garbage, an estimate of the quantity discharged, the cause of the discharge and an estimate of the movement of the discharge, giving current conditions, if known.

S. Weather and sea conditions, including wind force and direction and relevant tidal or current details

T. Name, address, telephone number and email address of the vessel's owner and representative (manager or operator of the ship, or the agent of the manager or operator)

Owner		Representative	
Telephone	Email address	Telephone	Email address

U. Type of ship Length Breadth Tonnage

X. Action being taken with regard to the discharge and to the movement of the ship

Displayed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 13 December 2017