INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS ACT 2 OF 1986

[ASSENTED TO 4 MARCH, 1986] [DATE OF COMMENCEMENT: 6 JUNE, 1986]

(English text signed by the State President)

ACT

To provide for the application in the Republic of the International Convention for the Prevention of Pollution from Ships; and to provide for matters connected therewith.

1 Definitions

In this Act, unless the context indicates otherwise-

"Convention" means the International Convention for the Prevention of Pollution from Ships, 1973, and the 1978 Protocol adopted by the Inter-Governmental Maritime Consultative Organization ("IMCO") in London on 3 November 1973, and set out in the Schedule;

"Minister" means the Minister of Transport Affairs;

"regulation" means a regulation made under this Act;

"this Act" includes the regulations.

2 Application of Convention

(1) The Convention shall, subject to the provisions of this Act, apply in the Republic.

(2) The State President may do all things necessary to ratify or cause to be ratified on behalf of the Republic any amendments of or additions to the Convention which may be made from time to time, and may by proclamation in the *Gazette* amend the Schedule to give effect to any amendment or addition so ratified.

(3) The Minister shall lay a copy of every proclamation issued under subsection (2) upon the Table in the respective Houses of Parliament within 14 days after the date of the publication of the proclamation in the *Gazette*, if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within 14 days after the commencement of its next ensuing ordinary session.

3 Regulations

(1) The Minister may make regulations-

(a) to give effect to any provision of the Convention as applicable in the Republic;

(b) prescribing fees, and providing for the recovery of any expenditure incurred, in connection with the application of the Convention in the Republic.

(2) Any regulation made under subsection (1) may prescribe penalties for any contravention thereof or failure to comply therewith, but no such penalty shall

exceed a fine of R100 000 or imprisonment for a period of ten years or both such fine and such imprisonment.

(3) Any regulation made under subsection (1) shall be laid upon the Table in the respective Houses of Parliament within 14 days after the publication thereof in the *Gazette* if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within 14 days after the commencement of its next ensuing ordinary session.

(4) Any regulation referred to in subsection (3) or any provision thereof may, by resolution passed by the respective Houses of Parliament during the session in which such regulation has been laid upon the Table, be disapproved of, and if the said regulation or provision is so disapproved of by all three Houses of Parliament, the provisions of section 12 (2) of the Interpretation Act, 1957 (Act 33 of 1957), shall apply as if such resolution were a law repealing the regulation or provision in question.

4 Jurisdiction

Any offence contemplated in section 3 (2) shall, for purposes in relation to jurisdiction of a court to try the offence, be deemed to have been committed at any place where the accused happens to be.

5 Short title and commencement

This Act shall be called the International Convention for the Prevention of Pollution from Ships Act, 1986, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

SCHEDULE
INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

THE PARTIES TO THE CONVENTION

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

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 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 Convention 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") of the present Convention. Subject to the above, Parties to the Convention shall be bound by any Annex in its entirety.

(2) A State which has declared that it is not bound by an Optional Annex may at any time accept such Annex by depositing with the Organization an

instrument of the kind referred to in Article 13 (2).

(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 15 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.

(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)* above, 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 50 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) 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 50 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 the parties the combined merchant fleets of

which constitute not less than 50 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) above;

(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) above;

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

(i) in the case of an amendment to an Article of the Convention, to Protocol II, or to Protocol I or to an Annex to the Convention not under the procedure specified in sub-paragraph *(f)*(iii), 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), the amendment deemed to have been accepted in accordance with the foregoing conditions shall enter into force six months after its acceptance for all the Parties with the exception of those which, before that date, have made a declaration that they do not accept it or a declaration under subparagraph *(f)* (ii), that their express approval is necessary.

(3) Amendment by a Conference:

(a) Upon the request of a Party, concurred in by a 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 paragraph (2) (f) and (g) above.

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

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

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

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

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

(8) The Secretary-General of the 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.

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

(in accordance with Article 8 of the Convention)

ARTICLE I

Duty to Report

(1) The Master of a 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 this 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;

(c) where relevant, a description of the packaging and identifying marks; and

(d) if possible the name 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

(in accordance with Article 10 of the Convention)

ARTICLE I

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

ARTICLE II

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

(2) The requesting Party shall inform the Secretary-General of the 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

[Annex 1 amended by the Annex to the Protocol of 1978, published as part of the Schedule to Act No. 2 of 1986, and by Proclamation 90 of 1992.]

CHAPTER I
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 connection with the propulsion and auxiliary machinery of the ship in which such oil is carried.

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

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

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

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

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

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

(d) which has undergone a major conversion:

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

(ii) in the absence of a contract, the construction work of which is begun after 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)*(a)* **"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 purpose of this Annex.

[Para. (8) substituted by the Annex to the Protocol of 1978.]

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

latitude 11°00' South, longitude 142°08' East to a point in latitude 10°35' South,

longitude 141°55' East, thence to a point latitude 10°00' South,

longitude 142°00' East, thence to a point latitude 9°10' South,

longitude 143°52' East, thence to a point latitude 9°00' South,

longitude 144°30' East, thence to a point latitude 13°00' South,

longitude 144°00' East, thence to a point latitude 15°00' South,

longitude 146°00' East, thence to a point latitude 18°00' South,

longitude 147°00' East, thence to a point latitude 21°00' South,

longitude 153°00' East, thence to a point on the coast of Australia in latitude 24°42' South, longitude 153°15' East.

(10) **"Special area"** means a sea area where for 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, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects.

[Para. (23) substituted by the Annex to the Protocol of 1978.]

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

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

(26) Notwithstanding the provisions of paragraph (6) of this Regulation, for 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.

[Para. (26) added by the Annex to the Protocol of 1978 and substituted by

Proclamation 90 of 1992.]

(27) Notwithstanding the provisions of paragraph (7) of this Regulation, for the purposes of Regulation 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.

[Para. (27) added by the Annex to the Protocol of 1978 and substituted by Proclamation 90 of 1992.]

(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.

[Para. (28) added by the Annex to the Protocol of 1978.]

(29) **"Crude oil tanker"** means an oil tanker engaged in the trade of carrying crude oil.

[Para. (29) added by the Annex to the Protocol of 1978.]

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

[Para. (30) added by the Annex to the Protocol of 1978.]

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 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-paragraph *(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 of 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.

[Regulation 4 substituted by the Annex to the Protocol of 1978.]

Regulation 5
Issue of Certificate

(1) An International Oil Pollution Prevention Certificate 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.

[Para. (1) amended by the Annex to the Protocol of 1978.]

(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 to the ship in accordance with this Annex.

[Para. (1) amended by the Annex to the Protocol of 1978.]

(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 shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

[Para. (4) amended by the Annex to the Protocol of 1978.]

Regulation 7
Form of Certificate

The International Oil Pollution Prevention Certificate 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 7 amended by the Annex to the Protocol of 1978.]

Regulation 8
Duration of Certificate

(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.

[Regulation 8 substituted by the Annex to the Protocol of 1978.]

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 an oil discharge monitoring and control system and a slop tank arrangement as required by Regulation 15 of this Annex;

[Sub-para. (vi) substituted by Proclamation 90 of 1992.]

(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 equipment or other installation as required by Regulation 16 of this Annex.

[Sub-para. (v) substituted by Proclamation 90 of 1992.]

(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 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.

[Para. (4) substituted by Proclamation 90 of 1992.]

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

(b) The Baltic Sea area means the Baltic Sea proper with 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 57°44.8'N.

(c) The Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41°N.

(d) The Red Sea area means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12°8.5'N, 43°19.6'E) and Husn Murad (12°40.4'N, 43°30.2'E).

(e) The Gulfs area means the sea area located north west of the rhumb line between Ras al Hadd (22°30'N, 59°48'E) and Ras el Fasteh (25°04'N, 61°25'E).

(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.

[Para. (2) substituted by Proclamation 90 of 1992.]

(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.

[Para. (3) substituted by Proclamation 90 of 1992.]

(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.

[Para. (4) substituted by Proclamation 90 of 1992.]

(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 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 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:

$$dm=2.0+0.02\ L;$$

(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 0.015 L; and

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

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

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

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

[Para. (3) substituted by Proclamation 90 of 1992.]

(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 13 substituted by the Annex to the Protocol of 1978.]

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[i]*, 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.

(4) Every oil tanker operating with dedicated clean ballast tanks shall be provided with a Dedicated Clean Ballast Tank Operation Manual detailing the system and specifying operational procedures. Such a Manual shall be to the satisfaction of the Administration and 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.

[Para. (4) substituted by Proclamation 90 of 1992.]

[Regulation 13A inserted by the Annex to the Protocol of 1978.]

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 and as may be further amended.

[Para. (3) amended by Proclamation 90 of 1992.]

(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 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.

[Para. (5) substituted by Proclamation 90 of 1992.]

[Regulation 13B inserted by the Annex to the Protocol of 1978.]

Regulation 13C
Existing Tankers Engaged in Specific Trades

(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:

(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.

[Para. (1) amended by Proclamation 90 of 1992.]

(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 appropriate entry in the Oil Record Book referred to in Regulation 20 of this Annex is endorsed by the competent Port State Authority;

[Sub-para. *(a)* substituted by Proclamation 90 of 1992.]

(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 Government 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) . . . . . .

[Para. (3) deleted by Proclamation 90 of 1992.]

[Regulation 13C inserted by the Annex to the Protocol of 1978.]

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 time 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 an 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 13D inserted by the Annex to the Protocol of 1978.]

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 t) shall be so arranged as to comply with the following requirements:

$$S\ P\ A\ c + S\ P\ A\ s^{3}\ J\ [L\ t\ (\ B + 2\ D\ )]$$

where: 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,

PA s = the bottom shell area in square metres for each such tank or space based on projected moulded dimensions,

L t = 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 the 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:

J reduced = [J– (a– Oc+Os40A or 0.2 whichever is greater

where: 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.

O c = as defined in Regulation 23 (1) *(a)* of this Annex,

O s = 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 13E inserted by the Annex to the Protocol of 1978.]

Regulation 14
Segregation of Oil and Water Ballast and Carriage of Oil in Forepeak Tanks

[Heading substituted by Proclamation 90 of 1992.]

(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.

(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.

[Para. (4) added by Proclamation 90 of 1992.]

(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.

[Para. (5) added by Proclamation 90 of 1992.]

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 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.

[Sub-para. (c) substituted by Proclamation 90 of 1992.]

(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.[ii]* 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. 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 Organization.[iii]* Administrations may accept such specific arrangements as detailed in the Guidelines and Specifications.

[Sub-para. *(a)* amended by Proclamation 90 of 1992.]

(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.[iv]†

(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) *(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.

[Para. (5) amended by the Annex to the Protocol of 1978 and substituted by Proclamation 90 of 1992.]

(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 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.

[Para. (7) substituted by Proclamation 90 of 1992.]

Regulation 16
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.[v]* 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 this 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 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.[vi]*

(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.[vii]* 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.

[Regulation 16 substituted by Proclamation 90 of 1992.]

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 connection to reception facilities for the discharge of dirty ballast water or oil contaminated water shall be located on the open deck on both sides of the ship.

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

[Regulation 18 amended by the Annex to the Protocol of 1978 and substituted by Proclamation 90 of 1992.]

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 m
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 Part 1 (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 part of the ship's official log book or otherwise, the Form(s) specified in Appendix III to this Annex.

[Para. (1) substituted by Proclamation 90 of 1992.]

(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.

[Para. (2) substituted by Proclamation 90 of 1992.]

(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 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 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.

[Para. (4) amended by the Annex to the Protocol of 1978 and by Proclamation 90 of 1992.]

(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.

(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.

[Para. (7) added by Proclamation 90 of 1992.]

Regulation 21
Special Requirements for Drilling Rigs and other Platforms

Fixed and floating drilling rigs when engaged in the exploration, exploitation and associated offshore processing of seabed 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.

(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.

[Sub-para. *(d)* added by Proclamation 90 of 1992.]

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 ($\#_c$)			$^1/_3$ 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)			$\frac{B}{5}$ 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 ($\#_s$)	$\frac{L}{10}$	$\frac{L}{10}$	or 5 metres, whichever is less
	(ii) Transverse extent (t_s)	$\frac{B}{6}$ or 10 metres whichever is less but not less than 5 metres	5 metres	
	(iii) Vertical extent from the base line (V_s)	$\frac{B}{15}$ or 6 metres, 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:

$$O_C = \#W_i + \#K_i\, C_i \quad \text{.....(I)}$$

(b) for bottom damages:

$$O_S = \frac{1}{3}\,(\#Z_i\, W_i + \#Z_i\, C_i) \quad \text{.....(II)}$$

\# [For representation of symbol see printed version of Act - EDS.]

where: W_i = volume of a wing tank in cubic metres assumed to be breached by the damage as specified in Regulation 22 of this Annex; W_i for a segregated ballast tank may be taken

equal to zero,

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

K i = $1 - \frac{b_i}{t_c}$ when b_i is equal to or greater than t_c, K_i shall be taken equal to zero,

Z_i = $1 - \frac{h_i}{V_s}$ when h_i is equal to or greater than V_s, Z_i shall be taken equal to zero,

b_i = 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_i = minimum depth of the double bottom in metres under consideration; where no double bottom is fitted h_i 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 #c as defined in Regulation 22 of this Annex is located between wing oil tanks, Oc in formula (I) may be calculated on the basis of volume Wi being the actual volume of one such tank (where they are of equal capacity) or the smaller of the two tanks (if they differ in capacity) adjacent to such space, multiplied by Si as defined below and taking for all other wing tanks involved in such a collision the value of the actual full volume.

$$S_i = 1 - \frac{\#_i}{\#_c}$$

where #i = 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 i 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 i 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 connection 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

$$O_s = \frac{1}{4} (\#Z_i W_i + \#ZiCi) \quad \text{.....(III)}$$

[For representation of symbol see printed version of Act - EDS.]

(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 Arrangements of Cargo Tanks

(1) Every new oil tanker shall comply with the provision 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 a tanker falls into either of the following categories:

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

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

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

(ii) the building contract is placed after 1 January 1974, or in 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 3DW, 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 exceedinglc 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:

$$(0{,}5\,\frac{b_i}{B} + 0{,}1)L$$

but not to exceed 0.2 *L*

(b) where a longitudinal bulkhead is provided at the centreline only:

$$(0.25\,\frac{b_i}{B} + 0.15)L$$

(c) where two or more longitudinal bulkheads are provided:

(i) for wing tanks: 0.2 *L*

(ii) for centre tanks:

(1) if $\frac{b_i}{B}$ is equal to or greater than $\frac{1}{5}$:

$0.2L$

(2) if $\frac{b_i}{B}$ is less than $\frac{1}{5}$:

— where a centreline longitudinal bulkhead is provided:

$$(0.5\,\frac{b_i}{B} + 0.1)L$$

— where a centreline longitudinal bulkhead is provided:

$$(0.25\,\frac{b_i}{B} + 0.15)L$$

(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 conditions consistent with trim and strength of the ship as well as specific gravities of the cargo. Such damage shall be applied to all conceivable 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)	Side damage:		
	(i)	Longitudinal extent	1/3(L2/3) 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.

[Sub-para *(a)* substituted by Proclamation 90 of 1992.]

(b) Bottom damage:

		For 03,L from the forward perpendicular of the ship	Any other part of the ship
(i)	Longitudinal extent	1/3 (L2/3) or 14,5 metres, whichever is less	1/3(L2/3) 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

[Sub-para. *(b)* added by Proclamation 90 of 1992.]

(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.

[Sub-para. *(c)* added by Proclamation 90 of 1992.]

(d) 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.

(e) Where the damage between adjacent transverse watertight bulkheads is envisaged as specified in subparagraph (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.

(f) If pipes, ducts or tunnels are situated within the assumed extent of damage, arrangements shall be made so that progressive flooding

cannot thereby extend to 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 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.

[Sub-para. *(c)* substituted by Proclamation 90 of 1992.]

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

(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.

[Sub-para. *(e)* added by Proclamation 90 of 1992.]

(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 assumed for spaces flooded as a result of damage shall be 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[viii]*
Intended for other liquids	0 to 0.95[ix]*

[Sub-para. *(b)* substituted by Proclamation 90 of 1992.]

(c) The buoyancy in 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 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:

(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.

[Para. (5) amended by Proclamation 90 of 1992.]

APPENDIX I
LIST OF OILS [x]*

Asphalt solutions
Blending Stocks
Roofers Flux
Straight Run Residue

Distillates
Straight Run
Flashed Feed Stocks

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

Oils
Clarified
Crude Oil
Mixtures containing crude oil
Diesel Oil
Fuel Oil 4
Fuel Oil 5
Fuel Oil 6
Residual Fuel Oil
Road Oil
Transformer Oil
Aromatic Oil (Excluding vegetable oil)
Lubricating Oils and Blending Stocks
Mineral Oil
Motor Oil
Penetrating Oil
Spindle Oil
Turbine Oil

Gas Oil
Cracked

Naphtha
Solvent
Petroleum
Heartcut Distillate Oil

Gasolines
Casinghead (natural)
Automotive
Aviation
Straight run
Fuel Oil 1
(Kerosene)
Fuel Oil 1-D
Fuel Oil 2
Fuel Oil 2-D

Gasoline Blending Stocks
Alkylates-fuel
Reformates
Polymer-fuel

APPENDIX II
FORM OF CERTIFICATE AND SUPPLEMENTS

[Appendix II substituted by the Annex to the Protocol of 1978 and by Proclamation 90 of 1992.]

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (1973)

(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)

by

.....

..

(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.[xi]*

Ship other than an oil tanker with cargo tanks coming under Regulation 2 (2) of Annex I of the Convention.[xii]*

Ship other than any of the above.[xiii]*

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 until subject to surveys in accordance with Regulation 4 of Annex 1 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 at a survey required by Regulation 4 of Annex 1 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[xiv]*/Intermediate[xv]* survey:
Signed ..... (Signature of duly authorized official)
Place .....
Date .....
(Seal or stamp of the Authority, as appropriate).
Annual[xvi]*/Intermediate[xvii]* survey:
Signed .....
(Signature of duly authorized official)
Place .....
Date .....
(Seal or stamp of the Authority, as appropriate).
Annual survey:
Signed ..... (Signature of duly authorized official)
Place .....
Date .....
(Seal or stamp of the Authority, as appropriate).

FORM A

RECORD OF CONSTRUCTION AND EQUIPMENT FOR SHIPS OTHER THAN OIL TANKERS

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

in respect of the provisions of Annex 1 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 1 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 1 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

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 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 is m^3/h.

2.6 Application:

2.6.1 The ship is not required to be fitted with the above equipment until19..... [xviii]* in accordance with Regulation 16 (4)

3. TANKS FOR OIL: RESIDUES (SLUDGE) (Regulation 17)

3.1 The ship is provided with oil residue (sludge) tanks with the total capacity of m^3.

3.2 Means for the disposal of oil residue in addition to the provision of sludge tanks

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

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 is appropriate)

FORM B

RECORD OF CONSTRUCTION AND EQUIPMENT FOR OIL TANKERS SUPPLEMENT TO THE INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE (IOPP CERTIFICATE)

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 1 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(m3)

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 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)

.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 is m3/h.

2.6 Application:

2.6.1 The ship is not required to be fitted with the above equipment until 19.....[xix]* in accordance with Regulation 16 (4).

3. TANKS FOR OIL: RESIDUES (SLUDGE) (Regulation 17)

3.1 The ship is provided with oil residue (sludge) tanks with the total capacity of m^3

3.2 Means for the disposal of oil residue in addition to the provision of sludge tanks

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

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

5.1.2 Required to be provided with SBT and PL

5.1.3 Required to be provided with SBT

5.1.4 Required to be provided with SBT, CBT or COW

5.1.5 Required to be provided with SBT or CBT

5.1.6 Not required to comply with the requirements of Regulation 13

5.2 Segregated ballast tanks (SBT)

5.2.1 The ship is provided with SBT in compliance with Regulation 13

5.2.2 The ship is provided with SBT which are arranged in protective locations (PL) in compliance with Regulation 13E

5.2.3 SBT are distributed as follows:

Tank identification	Tank	Location	Volume (m^3)
	Frames (From)-(to)	Lateral Position	

		Total Volume:	.....(m^3)

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

.2 as a crude oil tanker until19.....[xx]*

5.3.2 CBT are distributed as follows:

Tank identification	Tank	Location	Volume (m^3)
	Frames (From)-(to)	Lateral Position	
		Total Volume:	.....(m^3)

5.3.3 The ship has been supplied with a valid Dedicated Clean Ballast Tank Operation Manual, which is dated

5.3.4 The ship has common piping and pumping arrangements for ballasting the CBT and handling cargo oil

5.3.5 The ship has separate independent piping and pumping arrangements for ballasting the CBT

5.4 Crude oil washing (COW)

5.4.1 The ship is equipped with a COW system in compliance with Regulation 13B

5.4.2 The ship is equipped with a COW system in compliance with Regulation 13B except that the effectiveness of the system has not been confirmed in accordance with Regulation 13 (6) and paragraph 4.2.10 of the Revised COW Specifications [resolution A.446 (XI)]

5.4.3 The ship has been supplied with a valid Crude Oil Washing Operations and Equipment Manual, which is dated

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)]

5.5 Exemption from Regulation 13:

5.5.1 The ship is solely engaged in trade between in accordance with Regulation 13C and is therefore exempted from the requirements of Regulation 13

5.5.2 The ship is operating with special ballast arrangements in accordance with Regulation 13D and is therefore exempted from the requirements of Regulation 13

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

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)]

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

5.7.2 Information and data required under Regulation 25 (5) in an approved form have been supplied to the ship

6. RETENTION OF OIL ON BOARD (Regulation 15)

6.1 Oil discharge monitoring and control system

6.1.1 The ship comes under category oil tanker as defined in resolution A.496 (XII)

6.1.2 The system comprises:

.1 control unit

.2 computing unit

.3 calculating unit

6.1.3 The system is:

.1 fitted with a starting interlock

.2 fitted with automatic stopping device

6.1.4 The oil content meter is approved under the terms of resolution A.393 (X) suitable for:

.1 crude oil

.2 black products

.3 white products

6.1.5 The ship has been supplied with an operations manual for the oil discharge monitoring and control system

6.1.6 The ship is not required to be fitted with an oil discharge monitoring and control system, until19.....[xxi]* in accordance with Regulation 15 (1)

6.2 Slop tanks

6.2.1 The ship is provided with dedicated slop tank(s) with the total capacity of m3 which is% of the oil carrying capacity, in accordance with—

.1 Regulation 15 (2) *(c)*

.2 Regulation 15 (2) *(c)* (i)

.3 Regulation 15 (2) *(c)* (ii)

.4 Regulation 15 (2) *(c)* (iii)

6.2.2 Cargo tanks have been designated as slop tanks

6.2.3 The ship is required to be provided with slop tanks arrangements until19.....[xxii]* in accordance with Regulation 15 (1)

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)

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)

6.4.2 The ship is exempted from the requirements of Regulation 15 (1), (2) and (3) in accordance with Regulation 2 (2)

7. PUMPING, PIPING AND DISCHARGE ARRANGEMENTS (Regulation 18)

7.1 The overboard discharge outlets for segregated ballast are located—

7.1.1 above the waterline

7.1.2 below the waterline

7.2 The overboard discharge outlets, other than the discharge manifold, for clean ballast are located[xxiii]*

7.2.1 above the waterline

7.2.2 below the waterline

7.3 The overboard discharge outlets, other than the discharge manifold, for dirty ballast are located:[xxiv] *

7.3.1 above the waterline

7.3.2 below the waterline in conjunction with the part flow arrangements in compliance with Regulation 18 (6) *(e)*

7.3.3 below the waterline

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 cargo tank or slop tank

.2 for discharge ashore a special small diameter line is provided

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 of m^3/h

8.1.2 a holding tank with the capacity of m^3

8.1.3 a tank for collecting tank washings which is:

.1 a dedicated tank

.2 a cargo tank designated as a collecting tank

8.1.4 a permanently installed transfer pump for overboard discharge of effluent containing oil through the oily-water separating equipment

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

8.3 The ship holds a valid Certificate of Fitness for the Carriage of

Dangerous Chemicals in Bulk

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 authorized officer issuing the Record)

(Seal or stamp of the issuing Authority, as appropriate)

APPENDIX III
FORM OF OIL RECORD BOOKS

[Appendix III substituted by the Annex to the Protocol of 1978 and by Proclamation 90 of 1992]

OIL RECORD BOOK

PART I
MACHINERY SPACE OPERATIONS

(All ships)
Name of ship:
Distinctive number or letters:
Gross tonnage:
Period from:to:

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.

Note: 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.

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 (identity port);
    - .2 mixed with bunkers;
    - .3 transferred to another (other) tank(s) [identity 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 (identity port);

    .4 to slop or collecting tank (identity tank).

(E) AUTOMATIC DISCHARGE OVERBOARD OR DISPOSAL OTHERWISE OR 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).

18. Time when the system has been put into 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)[xxv]*/MACHINERY SPACE OPERATIONS (ALL SHIPS)[xxvi]*

Date	Code (letter)	Item (number)	Record of operations	signature of officer in charge

Signature of Master

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)

Identification of the tanks	Capacity
Pump-room:	Depth of sloptanks(s):

[Give the capacity of each tank and the depth of slop tank(s)]

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, the appropriate entry in the Oil Record Book shall be endorsed by the competent Port State Authority.[xxvii] *

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. .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.[xxviii] 1

11. Number of machines in use.

12. Time of start of washing.

13. Washing pattern employed.[xxix] 2

14. Washing line pressure.

15. Time completed or stopped washing.

16. State method of establishing that tank(s) was (were) dry.

17. Remarks.[xxx] 3

(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 [identity 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 of ship's position.

29. Duration of cleaning.

30. Method of cleaning. [xxxi] 4

31. Tank washings transferred to:

    .1 Reception facilities;

    .2 slop tank(s) or cargo tank(s) designated as slop tank(s) [identity 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) [identity slop tank(s)].

40. Discharged 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 (identity port);

    .2 mixed with cargo;

    .3 transferred to another tank(s) [identity 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 at completion of discharge into the sea.

66. Quantity discharged:

    .1 into the sea; of

    .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)[xxxii] */MACHINERY SPACE OPERATIONS (ALL SHIPS)[xxxiii] *

Date	Code (letter)	Item (number)	Record of operations	signature of officer in

charge

Signature of Master

ANNEX II
REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

[Annex II amended by Proclamation 91 of 1992.]

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 37,8°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 as defined in Regulation 10 (1) *(c)* of Annex I of

the present Convention.

(10) **"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.

[Para. (10) added by Proclamation 91 of 1992.]

(11) **"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.

[Para. (11) added by Proclamation 91 of 1992.]

(12) **"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.

[Para. (12) added by Proclamation 91 of 1992.]

(13) **"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.

[Para. (13) added by Proclamation 91 of 1992.]

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.

(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.

[Para. (4) added by Proclamation 91 of 1992.]

(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.

[Para. (5) added by Proclamation 91 of 1992.]

(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.

[Para. (6) added by Proclamation 91 of 1992.]

Regulation 3
Categorization and Listing of Noxious Liquid Substances

(1) For the purpose of the Regulations of this Annex, noxious liquid substances shall be divided into four categories as follows:

(a) Category A—Noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate 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 other 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.

[Para. (1) amended by Proclamation 91 of 1992.]

(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

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 as 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. Any water subsequently added to the tank 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.

[Para. (1) amended by Proclamation 91 of 1992.]

(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 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

subparagraph *(b)* of this paragraph, which shall in no case exceed the greater of 1 cubic metre or $^{1}/_{3000}$ 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 of 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 subparagraph *(b)* of this paragraph, which shall in no case exceed the greater of 3 cubic metres or $^{1}/_{1000}$ 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. 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.

[Para. (5) amended by Proclamation 91 of 1992.]

(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.

[redacted]

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. Any water subsequently added to the tank 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.

[Para. (7) amended by Proclamation 91 of 1992.]

(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 pre-washed 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.

[Sub-para. *(a)* substituted by Proclamation 91 of 1992.]

(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 subparagraph *(b)* of this paragraph which shall in no case exceed the greater of 1 cubic metre of $^{1}/_{3000}$ 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. 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.

[Para. (10) amended by Proclamation 91 of 1992.]

(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 subparagraph *(a)* of this paragraph, the requirements of paragraphs (1), (2) and (3) of this Regulation shall apply during the interim period.

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 that 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 provision 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 of:

(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 dry-docking, 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 5A inserted by Proclamation 91 of 1992.]

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 and Cargo Unloading Terminal Arrangements

[Heading substituted by Proclamation 91 of 1992.]

(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) 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.

[Para. (3) inserted by Proclamation 91 of 1992.]

(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.

[Para. (4), formerly para. (3), substituted by Proclamation 91 of 1992.]

Regulation 8

Measures of Control

(1) *(a)* The Government of each Party to 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.

[redacted]

(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.

[redacted]

(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.

(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 prewashed 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 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.

[redacted]

(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 substances 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.

[redacted]

(8) With respect to Category D substances, a tank which has been unloaded shall either be washed and the resulting 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.

[redacted]

(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 8 substituted by Proclamation 91 of 1992.]

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 logbook 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) 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.

[Para. (2) amended by Proclamation 91 of 1992.]

(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.

[Para. (3) amended by Proclamation 91 of 1992.]

(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 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 or a Certificate referred to in Regulation 12A of this Annex in English or French. The entries in an official national language of the State whose flag the ship is entitled to fly shall prevail in case of a dispute or discrepancy.

[Para. (5) amended by Proclamation 91 of 1992.]

(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 three years after the last entry has been made.

[Para. (6) amended by Proclamation 91 of 1992.]

(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 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. The 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, 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 enforcements 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) An Administration nominating surveyors or recognizing organizations to conduct surveys and inspections as set forth in subparagraph *(a)* 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 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 10 substituted by Proclamation 91 of 1992.]

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 Certificates.

(3) *(a)* The Government of the 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 11 substituted by Proclamation 91 of 1992.]

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.

[Regulation 12 substituted by Proclamation 91 of 1992.]

Regulation 12A
Survey and Certification of Chemical Tankers

Notwithstanding the provisions of Regulation 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 12A added by Proclamation 91 of 1992.]

Regulation 13
Requirements for Minimizing Accidental Pollution

(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 Chemicals 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.

[Regulation 13 substituted by Proclamation 91 of 1992.]

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 1 of the Convention and discharged in accordance with the provisions of Annex 1 of the present Convention, provided that all of the following

conditions are complied with:

(a) The ship complies with the provisions of Annex 1 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.

[Regulation 14 added by Proclamation 91 of 1992.]

APPENDIX I
GUIDELINES FOR THE CATEGORIZATION OF NOXIOUS LIQUID SUBSTANCES

[redacted]

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.

[redacted]

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.

[redacted]

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); 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.

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 LD50 of less than 5 mg/kg; or produce moderate reduction of amenities because of presistency, smell or poisonous or irritant characteristics, possibly interfering with use of beaches; or moderately hazardous to human health, with an LD50 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

[Appendix II substituted by Proclamation 91 of 1992.]

Substance	**UN-Number**	**Pollution Category for operational discharge** (Regulation 3of Annex II)	**Residual concentration (per cent by weight)** (Regulation 5 (1) of Annex II)	(Regulation 5 (7) of Annex II)
	I	**II**	**III Outside special areas**	**IV Within special areas**
Acetaldehyde	1089	C		
Acetic acid	27891 27901	C		
Acetic anhydride	1715	C		
Acetone cyanohydrin	1541	A	0.1	0.05
Acetophenone	—	D		
Acetyl chloride	1717	C		
Acrylamide solution (50% or less)	2074	D		
Acrylic acid	2218	D		
Acrylonitrile	1093	B		
Adiponitrile	2205	D		
Alcohols, C4, C5, C6 mixtures	—	D		
Alcohols, C5, C6 as individual alcohols	—	D		
Alcohols, C7, C8, C9 as individuals and mixtures	—	C		
Alcohols, C10, C11, C12 as individuals and mixtures	—	B		
Alcohol ethoxylate (higher secondary)	—	D		
Alcohol (C13/C15)poly(3 11)ethoxylates	—	B		

Alkyl acrylate vinyl pyridine co-polymer in toluene	—	(C)		
Alkylamine mixtures	—	C		
Alkyl (C9 C17) benzene mixtures (straight or branched chain)	—	D		
Alkyl benzene sulphonate (branched chain)	—	B		
Alkyl benzene sulphonate (straight chain)	—	C		
Alkyl benzene sulphonic acid	2584 2586	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)	26722	C		
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	11143	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		
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	—	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		
Dialkyl (C7–C9) phthalates	—	(D)		
Dialkyl (C9–C13) 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, Triisopropanolamine salt solution	—	(A)	0.1	0.05
1,1-Dichloropropane	—	B		
1,2-Dichloropropane	1279	B		
1,3-Dichloropropane	—	B		
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		
Cashew nut shell oil (untreated)	—	D		
Chloroacetic acid	1750	C		
Chloroacetone	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 naphthenate in solvent naphtia	—	A	0.1	0.05
Coconut oil	—	D		
Coconut oil, fatty acid methyl ester	—	D		
Cod liver oil	—	D		
1,3-Dichloropropene	2047	B		
Dichloropropene/Dichloropropanex mixtures	—	B		
2,2-Dichloropropionic acid	—	D		
Dichloropropyl ether	—	(B)		
Diethylamine	1154	C		
Diethylaminoethanol	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-ethylhexyl) adipate	—	D		
Di(2-ethylhexyl) 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		
Dimethyl 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 diisocyanate	2489	(B)		
Diphenyl oxide/Diphenyl 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		
Ethylbenzene	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 glocol 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	2277	(D)		
o-Ethyl phenol	—	(A)	0.1	0.05
2-Ethyl-3-propylacrolein	—	B		
Ethyltoluene	—	(B)		
Fatty alcohols (C12–C20)	—	B		
Ferric chloride solution	2582	C		
Ferric hydroxyethyl ethylenediamine triacetic acid, trisodium salt solution	—	D		
Fish oil	—	D		
Formaldehyde solutions (45% or less)	1198	C		
	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 C10 tryalkyl 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 perioxide solutions (over 60% but not over 70%)	2015	C		
Hydrogen peroxide solutions (over 8% but not over 60%)	2014	C		
	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	1213	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		
Isophorone	—	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		
Mercapthobenzothiazol, 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		
Methylamyl acetate	1233	(C)		
Methylamyl 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		
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-pentene	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
Naphthene (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)	2031	C		
	2032	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		
Nonylphenol	—	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 (C6–C8 mixtures	—	B		
alpha-Olefins (C6–C18 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-Paraffins (C10–C20)	—	(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		
l-Phenyl-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	2734	(C)		
	2735	(C)		
Polymethylene polyphenyl isocyanate	2206	D		
	2207	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		
Tetrahydrofuran	2056	D		
Tetrahydronaphthalene	—	C		
1,2,3,5,-Tetramethyl benzene	—		(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- trifluoroethane	—	C		
Tricresyl phosphate (containing less than 1% ortho-isomer)	—	A	0.1	0.05
Tricresyl phosphate (containing 1% or more ortho-isomer)	25744	A	0.1	0.05
Triethanolamine	—	D		
Triethylamine	1296	C		
Triethylbenzene	—	A	0.1	0.05
Triethylene glycol methyl ether	—	(D)		
Triethylenetetramine	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)		
Trimethylhexamethylene diamine (2,2,4- and 2,4,4- isomers)	2327	D		
Trimethylhexamethylene diisocyanate (2,2,4- and 2,4,4- isomers)	2328	B		
Trimethylol propane polyethoxylate	—	D		
2,2,4- Trimethyl-1,3- pentanediol-1-				

Isobutyrate	—	C		
Tripopylene 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 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		

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.

1UN Number 2789 refers to more than 80% solution and 2790 between 10% and 80% soution.

2UN Number refers to 10–35%.

3UN Number 1114 applies to benzene.

4UN Number 2574 applies to Tricresyl phosphate containing more than 3% ortho-isomer.

APPENDIX III
LIST OF OTHER LIQUID SUBSTANCES

[Appendix III substituted by Proclamation 91 of 1992.]

Substance	UN Number
Acetone	1090
Acetonitrile	1648
Alcohols, C1, C2, C3 as individuals and mixtures	—
Alcohols, C4	—
Alcohols, C13 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	—
Diisooctyl phthalate	—
Dioctyl phthalate	—
Dipropylene glycol	—
Dodecyl methacrylate	—
Dodecyl/Pentadecyl methacrylate mixture	—
Ethyl alcohol	1170
Ethylene carbonate	—
Ethylene glycol butyl ether	2369
Ethylene glycol tertiary butyl ether	—
Ethylene-vinylacetate co-polymer (emulsion)	—
Glycerin	—
Clycine sodium salt solution	—
1-Heptadecene	—
n-Heptane	1206
1-Hexadacene	—
n-Hexane	1208
Hexylene glycol	—
Isobutyl alcohol	1212
Isopropyl acetate	1220
Isoproyl alcohol	1219
Lard	—
Latex (carboxylated styrane/butadiene co-polymer)	—
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 (C13 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 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
FORM OF CARGO RECORD BOOK

[Appendix IV substituted by Proclamation 91 of 1992.]

CARGO RECORD BOOK FOR SHIPS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK

Name of ship:
Distinctive number or letters:
Gross tonnage:
Period from:

Note: 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)

Identification of the tanks	Capacity

(Give the capacity of each tank in cubic metres.)

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 Reason 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. Tank 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

[Appendix V substituted by Proclamation 91 of 1992.]

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 or 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, until ..... subject 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)

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[xxxiv] */Intermediate[xxxv] * survey:

Signed .....

(Signature of duly authorized official)

Place .....

Date .....

(Seal or stamp of the Authority, as appropriate).

Annual survey:

Signed .....

(Signature of duly authorized official)

Place .....

Date .....

(Seal or stamp of the Authority, as appropriate).

ANNEX V
REGULATIONS FOR THE PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS

[Annex V added by Proclamation 104 of 1991.]

Regulation 1
Definitions

For the purposes of this Annex:

(1) **"Garbage"** means all kind of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the present Convention;

(2) **"Nearest land"**. The term "from the nearest land" 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-

longitude 11°00' south, longitude 142°08' east to a point in latitude 10°35' south,

longitude 141°55' east, thence to a point latitude 10°00' south,

longitude 142°00' east, thence to a point latitude 9°10' south,

longitude 143°52' east, thence to a point latitude 9°00' south,

longitude 144°30' east, thence to a point latitude 13°00' south,

longitude 144°00' east, thence to a point latitude 15°00' south,

longitude 146°00' east, thence to a point latitude 18°00' south,

longitude 147°00' east, thence to a point latitude 21°00' south,

longitude 153°00' east, thence to a point on the coast of Australia latitude 24°42' south, longitude 153°15' east.

(3) **"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 garbage is required. Special areas shall include those listed in regulation 5 of this Annex.

Regulation 2
Application

The provisions of this Annex shall apply to all ships.

Regulation 3
Disposal of garbage outside special areas

(1) Subject to the provisions of regulations 4, 5 and 6 of this Annex-

(a) the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets and plastic garbage bags is prohibited;

(b) the disposal into the sea of the following garbage shall be made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than—

(i) 25 nautical miles for dunnage, lining and packing materials which will float;

(ii) 12 nautical miles for food wastes and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse;

(c) disposal into the sea of garbage specified in subparagraph (b) (ii) of this regulation may be permitted when it has passed through a comminuter or grinder and made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than three nautical miles. Such comminuted or ground garbage shall be capable of passing through a screen with openings no greater than 25 millimetres.

(2) When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

Regulation 4

Special requirements for disposal of garbage

(1) Subject to the provisions of paragraph (2) of this regulation, the disposal of any materials regulated by this Annex is prohibited from fixed or floating platforms engaged in the exploration, exploitation and associated offshore processing of seabed mineral resources, and from all other ships when alongside or within 500 metres of such platforms.

(2) The disposal into the sea of food wastes may be permitted when they have been passed through a comminuter or grinder from such fixed or floating platforms located more than 12 nautical miles from land and all other ships when alongside or within 500 metres of such platforms. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

Regulation 5

Disposal of garbage within special areas

(1) For the 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 Gulf 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 41°N parallel and

bounded to the west by the Straits of Gibraltar at the meridian 5°36'W.

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

(c) The Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41°N.

(d) The Red Sea area means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12°8.5'N, 43°19.6'E) and Husn Murad (12°40.4'N, 43°30.2'E).

(e) The Gulf area means the sea area located north west of the rhumb line between Ras al Hadd (22°30'N, 59°48'E) and Ras al Fasteh (25°04'N, 61°25'E).

(2) Subject to the provisions of regulation 6 of this Annex-

(a) disposal into the sea of the following is prohibited:

(i) All plastics, including but not limited to synthetic ropes, synthetic fishing nets and plastic garbage bags; and

(ii) all other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;

(b) disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land.

(3) When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

(4) Reception facilities within special areas:

(a) The Government of each Party to the Convention, the coastline of which borders a special area undertakes to ensure that as soon as possible in all ports within a special area, adequate reception facilities are provided in accordance with regulation 7 of this Annex, taking into account the special needs of ships operating in these areas.

(b) The Government of each Party concerned shall notify the Organization of the measures taken pursuant to subparagraph *(a)* of this regulation. 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 12 months in advance of that date.

(c) After the date so established, ships calling also at ports in these special

areas where such facilities are not yet available, shall fully comply with the requirements of this regulation.

Regulation 6
Exceptions

Regulations 3, 4 and 5 of this Annex shall not apply to-

(a) the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

(b) the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape; or

(c) the accidental loss of synthetic fishing nets or synthetic material incidental to the repair of such nets, provided that all reasonable precautions have been taken to prevent such loss.

Regulation 7
Reception facilities

(1) The Government of each Party to the Convention undertakes to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.

(2) The Government of 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.

FORM FOR REPORTING ALLEGED INADEQUACY OF PORT RECEPTION FACILITIES FOR GARBAGE

1. Country:

Name of port or area:

Location in the port (e.g. berth/terminal/jetty):

Date of incident:

2. Type and amount of garbage for discharge to facility:

(a) Total amount:

food waste m^3

cargo associated waste m^3

maintenance waste m^3

other m^3

(b) Amount not accepted by the facility:

food waste m^3

cargo associated waste m^3

maintenance waste m^3

other m^3

3. Special problems encountered:

Undue delay:

Inconvenient locality of facilities:

Unreasonable charges for use of facilities:

Use of facility not technically possible:

Special national regulations:

Other:

4. Remarks: (e.g. information received from port authorities or operators of reception facilities: reasons given concerning 2 above):

5. Ship's particulars:

Name of ship:

Owner or operator:

Distinctive number or letters:

Port of registry:

Number of persons on board:

....

Date of completion of form Signature of Master

FORM OF GARBAGE RECORD BOOK

Name of ship:.....

Distinctive number or letters:.....

IMO No.:.....

Period: From:..... To: .....

1 Introduction

In accordance with Regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) a record is to be kept of each

discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

2 Garbage and garbage management

Garbage includes all kind of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically except those substances which are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

3 Description of the garbage

The garbage is to be grouped into categories for the purposes of this record book as follows:

1. Plastics
2. Floating dunnage, lining, or packing material
3. Ground-down paper products, rags, glass, metal, bottles, crockery, etc.
4. Paper Products, rags, glass, metal, bottles, crockery, etc.
5. Food waste
6. Incinerator ash.

4.1 Entries in the Garbage Record Book

Entries in the Garbage Record Book shall be made on each of the following occasions:

(a) When garbage is discharged into the sea:

(i) Date and time of discharge

(ii) Position of the ship (latitude and longitude)

(iii) Category of garbage discharged

(iv) Estimated amount discharged for each category in m^3

(v) Signature of the officer in charge of the operation.

(b) When garbage is discharged to reception facilities ashore or to other ships:

(i) Date and time of discharge

(ii) Port or facility, or name of ship

(iii) Category of garbage discharged

(iv) Estimated amount discharged for each category in m^3

(v) Signature of officer in charge of the operation.

(c) When garbage is incinerated:

(i) Date and time of start and stop of incineration

(ii) Position of the ship (latitude and longitude)

(iii) Estimated amount incinerated in m^3

(iv) Signature of the officer in charge of the operation.

(d) Accidental or other exceptional discharges of garbage:

(i) Time of occurrence

(ii) Port or position of the ship at the time of occurrence

(iii) Estimated amount and category of garbage

(iv) Circumstances of disposal, escape or loss, the reason therefor and general remarks.

4.2 Receipts

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for two years.

4.3 Amount of garbage

The amount of garbage on board should be estimated in m^3, if possible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognized that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g. the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

RECORD OF GARBAGE DISCHARGES

Ship's name: ..... Distinctive No. or letters..... IMO No.....

1: Plastic.

2: Floating dunnage, lining, or packing materials.

3: Ground-down paper products, rags, glass, metal, bottles, crockery, etc.

4: Paper products, rags, glass, metal, bottles, crockery, etc.

5: Food waste.

6: Incinerator ash.

NOTE: THE DISCHARGE OF ANY GARBAGE OTHER THAN FOOD WASTE IS PROHIBITED IN SPECIAL AREAS. ONLY GARBAGE DISCHARGED INTO THE SEA MUST BE CATEGORIZED. GARBAGE OTHER THAN CATEGORY 1 DISCHARGED TO RECEPTION FACILITIES NEED ONLY BE LISTED AS A TOTAL ESTIMATED AMOUNT.

Date/time	Position of the ship	Estimated amount discharged into sea (m^3)					Estimated amount discharged to reception facilities or to other ship (m^3)		Estimate amount incinerate (m^3)
		CAT 2	CAT 3	CAT 4	CAT 5	CAT 6	CAT 1	Other	

Master's signature: ..... *Date*: .....

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 [xxxvi](1), 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 11 (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, have become Parties to it in accordance with Article IV of the present Protocol.
2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.
3. After the date on which an amendment to the present Protocol is deemed to have been accepted in accordance with Article 16 of the Convention, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI
Amendments

The procedures set out in Article 16 of the Convention in respect of 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 Secretariate 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

[NB. Not reproduced; amendments incorporated where necessary.]

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[i]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).

[ii]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).
[iii]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).
[iv]Reference is made to "Clean Seas Guide For Oil Tankers", published by the International Chamber of Shipping and the Oil Companies International Marine Forum.
[v]Reference is made to the Recommendation on International Performance and Test Specifications for OilyWater Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.393(X).
[vi]Reference is made to the Recommendation on International Performance and Test Specifications for OilyWater Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.393(X).
[vii]Reference is made to the Recommendation on International Performance and Test Specifications for OilyWater Separating Equipment and Oil Content Meters adopted by the Organization by Resolution A.393(X).
[viii]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.
[ix]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.
[x]**The list of oils shall not necessarily be considered as comprehensive.**
[xi]Delete as appropriate.
[xii]Delete as appropriate.
[xiii]Delete as appropriate.
[xiv]Delete as appropriate.
[xv]Delete as appropriate.
[xvi]Delete as appropriate.
[xvii]Delete as appropriate.
[xviii]Insert the date three years after the date of entry into force of the Convention.
[xix]Insert the date three years after the date of entry into force of the Convention.
[xx]Insert the date two years or four years after the date of entry into force of the Convention as appropriate.
[xxi]Insert the date three years after the date of entry into force of the Convention.
[xxii]Insert the date three years after the date of entry into force of the Convention.
[xxiii]Only those outlets which can be monitored are to be indicated.
[xxiv]Only those outlets which can be monitored are to be indicated.

[xxv]Delete as appropriate.
[xxvi]Delete as appropriate.
[xxvii]This sentence should only be inserted for the Oil Record Book of a tanker engaged in a specific trade.
[xxviii]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.
[xxix]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.
[xxx]If the programmes given in the Operations and Equipment Manual are not followed, then the reasons must be given under Remarks.
[xxxi]Hand hosing, machine washing and/or chemical cleaning. Where chemically cleaned, the chemical concerned and amount used should be stated.
[xxxii]Delete as appropriate.
[xxxiii]Delete as appropriate.
[xxxiv]Delete as appropriate.
[xxxv]Delete as appropriate.
[xxxvi]See Miscellaneous Series No. 26 (1974), Cmnd. 5748 p. 9.