



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Agenda item 7

CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Comments and proposals on the draft text of the Convention

Corrigendum submitted by the Government of France

Article 5 to read as follows:

"If a State which is party to the present Convention is not certain that a ship wishing to enter one of its ports or to use one of its off-shore terminals complies in every way with the provisions of the Regulations applicable to that ship, that State may request consultation with the Administration ^{1/} of that ship. The Administration shall transmit to it all the information in its possession to enable it to determine whether or not the ship complies with the provisions of the Regulations applicable to it.

If after such consultations it appears that the ship does not comply, entry to the ports or off-shore terminals may be subject to certain conditions to guarantee that such entry does not present excessive risks for the marine environment.

Any State laying down such conditions shall inform both the Administration of the ship and the Organization ^{2/} accordingly.

^{1/} Autorité: (French text) - definition given in Article 2(2).

^{2/} Organization: definition given in Article 2(6).

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 of another State which is party to the present Convention to inspection by officers duly authorized by that State.

Such inspection shall be carried out in such a way as not to delay the ship unless it appears that the particulars of the ship or its equipment differ from those shown on that certificate, or if the ship does not carry on board a valid certificate."

In these cases, the State carrying out the inspection may, without prejudice to the provisions of Article 4, impose on the ship's departure conditions such as to ensure that it does not involve any undue risk to the marine environment. Any State laying down such conditions shall inform both the Administration of the ship and the Organization accordingly. In particular it may only issue an authorization for departure in order to allow the ship to leave port and proceed for repairs to a shipyard able to bring it into conformity with the provisions of the applicable regulations.

In this case, the Administration of the ship shall transmit to the State, which has carried out the inspection, and to the Organization, a report on the changes made as soon as the work is completed.
