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

Comments and proposals on a draft text of
the Convention

Submitted by the Government of the Union of Soviet
Socialist Republics

1. Text of the Convention (Articles)

General comments

1. The draft text of an International Convention for the Prevention of Pollution from Ships is an important document which will make a considerable contribution to the protection of the general environment and, particularly, of the marine environment. This draft text has a number of advantages in comparison with the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended in 1962. Firstly, the scope of the draft text of the Convention covers not only oil pollution but also other harmful substances which may affect the marine environment; secondly, as oil presents the main and most dangerous pollutant of the sea, the draft text provides more strict requirements than the Oil Pollution Convention, 1954; thirdly, the draft text is not aimed at prohibition of the discharge of oil and other harmful substances within comparatively narrow prohibited zones, as was the case in the 1954 Convention, but covers all waters of the world's oceans.

2. It might be appreciated as practicable that the 1973 draft text has been subdivided into the Convention itself (Articles) containing general standards and principles, and Annexes containing precise rules for the prevention of pollution by different substances.

Bearing in mind the purpose of the 1973 Convention, it would be most reasonable if the Contracting States accept simultaneously all Annexes to the Convention. However, should any State be unable to do so due to the lack, for the time being, of some technical means, it would be agreeable to provide in the Convention a provision permitting some Annexes (optional ones) to be accepted gradually. At the same time any State which would become a party to the 1973 Convention but which would not accept an optional Annex (Annexes), should be obliged to do everything in its power to accept it as soon as possible.

3. The activities of IMCO in the preparation of the draft text of the International Convention for the Prevention of Pollution from Ships, 1973 are much appreciated. The fifth (final) draft text of the Convention could, in principle, serve as a good basis for consideration at the forthcoming Diplomatic Conference.

Comments and proposals on Articles of the Convention

Article 2

Paragraph 4(a). To be supplemented with the words suggested in footnote 5, i.e. to have a list of actions which the term "discharge" implies. This should facilitate the Convention implementation.

Article 3

Paragraph 1(a).

1. The words "ships entitled to fly the flag" to be substituted by the words "ships flying the flag".

2. The text in the square brackets (see footnote under Article 19) to be deleted.

Paragraph 2

1. The words "and naval auxiliary" to be inserted after the words "to any warship". The insertion will not enlarge the number of ships to which the Convention shall not apply, but from our viewpoint, makes the wording more precise.
2. The words "for the time being" to be deleted.

Article 4

Penalties

1. Alternative I to be retained.
2. Paragraph 1(a). The word "and" to be retained and the word "or" to be deleted.

Article 5

Paragraphs 4 and 5. The word "may" (the text in square brackets) to be retained as the only alternative. Placing on a coastal State a duty to deny access to its ports and off-shore terminals a foreign ship not complying with any provisions of the Convention, would be too burdensome. It is expedient, therefore, to leave the question of such ships as admittance at the discretion of the coastal State.

Article 6

Paragraph 2.

1. The words "Contracting States" to be substituted by the words "a Contracting State".
2. This paragraph after first sentence, to be supplemented by the following wording:

"Such inspection shall be limited to the inspection of slop tanks or other tanks specially provided for wastes and of related documents. Should the inspection reveal that the ship has discharged any harmful substances in contravention of provisions of the Regulations, the State shall forward a report of such inspection to the Administration for appropriate action".

Paragraph 5. The paragraph to be deleted. The right of a coastal State to investigate the foreign ship shall be limited to cases where infringements occur within the territorial sea of the State in question.

Article 7

Paragraph 6 To be formulated as follows:

- "(6) The report shall be made whenever an incident involves:
- (a) a discharge
 - (i) for the purpose of securing the safety of the ship or saving life at sea or resulting from an error of a crew member; or
 - (ii) as a result of damage to the ship or its equipment; or
 - (iii) for the purpose of combating a specific pollution incident;
 - (b) the discharge into the sea of any package, cargo container or portable tank containing harmful substances or the contents thereof".

Article 10

Alternative III to be retained. It would provide Contracting States with a broad choice of means for peaceful regulation of the disputes. In any case, the compulsory jurisdiction of the International Court of Justice (Alternative I) is not acceptable.

Article 13

Paragraph 1. The words in square brackets to be deleted. A general treaty, such as the Convention presents, should be open for participation of all the States concerned. Only in this case may the aims of the Convention be achieved in the best way.

Article 14

Alternative I to be deleted. The prohibition on making reservations to any provision of the Convention including final Articles, could create serious obstacles for some States in becoming parties to the Convention. Ultimately, it would lead to an undesirable limitation of the number of States Parties to the Convention.

Article 17

The provisions dealing with amendments of an important nature (paragraphs 3(a)(vi), 3(b)(vi), 4(c) to be deleted.

Article 19

To be deleted. The provisions of the Article legalizing the dependence of some territories, are archaic and do not correspond to contemporary international law and, in particular, to the principle of self-determination of Nations.

A N N E X E S

TO THE DRAFT TEXT OF AN INTERNATIONAL CONVENTION
FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

ANNEX I

REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

REGULATION 1

Paragraph (1) and footnote 1(i). Vegetable oil and animal fat are not recommended for inclusion in the list of substances falling within the "oil" category in the sense of this Paragraph. These kinds of fat differ considerably from natural oil, and therefore it would be advisable to include them under noxious substances other than oil.

Paragraph (5)(b). Square brackets to be deleted, and a period of five years to be retained.

Paragraph (8). The definition "International voyage" to be limited by the following text: "International voyage" means a voyage from a country, to which the present Convention applies, to a port outside such country, or conversely.

Footnote (5). It is inexpedient to introduce the terms "International water" or "Proceeding to sea" into the definition of "International voyage", as these terms have no precise international interpretation.

Paragraph (9) and footnote 7. The text about the Geneva Convention, 1958, to be left in the paragraph, as the condition for estimation of the width of territorial sea as presented in it, is the most acceptable one.

Paragraph (16). Square brackets at figure 15 to be deleted, and this value to be considered quite acceptable for characterization of the term "clean ballast".

Paragraph (17). Words "other than oil" to be substituted by "other than oil or other noxious substance".

Regulation 1. Add the following definition:

"Stationary ship" means a vessel that performs her functions in a fixed position in accordance with her design.

REGULATION 2

Paragraph (2) Square brackets at figure 200 to be deleted.

Paragraph (4)(a) and footnote 10. The text at the beginning of Paragraph to be substituted by:

"Any hydrofoil, hovercraft and other new type vessel (near-surface, submarine craft etc.), whose constructional features are such as to render"..., and further as listed.

REGULATION 4

Paragraph (1) Square brackets at figures 150 and 400 to be deleted.

REGULATION 5

Paragraph (1) Square brackets at figures 150 and 400 to be deleted.

REGULATION ... (without number)

Footnote 13. Regulation "Reports on Incidents" not to be included in this Annex. The presence of Article 7 in the Convention would suffice.

CHAPTER IIREQUIREMENTS FOR CONTROL OF
OPERATIONAL POLLUTIONREGULATION 9

Paragraph (1) and footnote 15. The suggestion presented in the text of the footnote to be accepted, but to be worded as follows:

"Without prejudice to more stringent measures, which a coastal State may take within its national jurisdiction..."

Paragraph (1)(a)(v). Existing text to be substituted by:

"(v) the total quantity of oil discharged into the sea, which may be permitted during all voyages with ballast, loaded after unloading of the cargo, shall not exceed:"

Paragraph (1)(a)(vii). Existing text to be supplemented with:

"but this shall not be done simultaneously with the discharge of oily mixture from cargo tanks".

Paragraph (1)(b). The following words to be put at the beginning of the text:

"for a ship other than an oil tanker of 400 tons gross tonnage and above".

Paragraph (1)(b)(iv). Square brackets to be deleted, figure 10 to be substituted by 12.

Observations have shown that littoral currents, which affect the movement of pollutants significantly, and have features characterized by the presence of visible vortexes. The vortexes' structure is disordered within the 4-5 km off-shore zone and is reminiscent of the usual turbulent boundary layer motion. The off-shore zone from 4-5 km to 20-30 km (depending on depths within the zone) is occupied by isolated powerful vortexes of 22-25 km diameter. Calculations show that, when pollutants are within the zone nearer to a shore than 20 km, a risk arises that the pollutants will be moved intensely in the unfavourable direction. The risk is aggravated by the action of breezes blowing landwards during the day-time. The zone in which their action might be felt is of the order of 22-25 km width as well.

Paragraph (1)(b)(v). Add the following:

"A ship of less gross tonnage which, while in these areas, discharges oil or oily mixtures into the sea as defined in sub-paragraphs (i), (ii), (iii), (iv) and (vi) of paragraph (1)(b) of this Regulation".

"For ships of 400 tons gross tonnage and less while outside the special areas, the Administration shall, as far as practicable and reasonable, undertake appropriate measures to equip them with facilities to ensure the storage of oil residues on board and their discharge in correspondence with the requirements of sub-paragraphs (i), (ii), (iii), (iv) and (vi) of paragraph (1)(b) of this Regulation."

Paragraph (2) is to be formulated as follows:

(2) "Ships, while operating in special areas defined in Regulation 1(10) of this Annex shall be subject to appropriate additional requirements as set out in Regulation 12 of this Annex".

Paragraph (3) and footnote 21. The provisions facilitating the enforcement of Paragraphs (1) and (2) will undoubtedly be useful, but they must be based on principles which do not presuppose that proving his innocence is the duty of the accused.

REGULATION 11

Paragraph (2) and footnote 23. The advantages, being a consequence of the constructional characteristics of tankers with segregated ballast, cannot serve as a basis for the acceptance of the proposition expressed in this footnote. As investigations performed in the USA, Great Britain, the USSR and Italy have proved, the fulfilment of requirements for segregated ballast tanks on big tankers does not substantially decrease their economical effectiveness and they are easily embodied constructionally.

Paragraph (2). Square brackets at figures 150,000, 100,000 and noted dates to be deleted.

Paragraph (2) and footnote 26. The inclusion of the wording suggested in this footnote into text of the Regulation is inadvisable. Under normal operation in various conditions, oil tankers with an unlimited trading area must have the possibility of taking ballast. For tankers, designed for operation when features of particular routes and local conditions are taken into consideration, the possibility of non-fulfilment of these conditions shall be defined by the Administration based on the principle of equivalence.

Paragraph (3). Square brackets at figure 2 to be deleted.

REGULATION 12

The existing title of this Regulation to be substituted by the following:

Special Areas and related requirements for prevention of oil pollution.

Paragraph (1)(a). To be formulated as follows:

"For the purpose of this Annex special areas shall include the Mediterranean Sea, the Baltic Sea Area and the Black Sea.

Paragraph (1)(b). The words - "in respect of areas under its jurisdiction", - to be deleted. The text of the paragraph to end with the words - "oil pollution of these areas".

Paragraph (1)(c). The words - "Every oil tanker" to be substituted by "Ships" both here and further on where it occurs in the text.

Paragraph (3). To be formulated as follows:

(3) Baltic Sea Area

(a) "For the purpose of this Annex 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 latitude of the Skaw in the Skagerrak".

REGULATION 13

Paragraph (2) and footnote 33. The text of paragraph (2) to be supplemented with the text suggested in footnote 33(1).

Paragraph (3) and footnote 34. There is no necessity to take into account the constructional peculiarities of tankers fitted with segregated ballast, as the trim of any tanker is defined mainly from conditions ensuring the seaworthiness of vessel. The influence of changing the parameters defining the seaworthiness of large tankers fixed with segregated ballast will be negligible.

Concerning the formula for determining the minimum draught for segregated ballast tankers, it is suggested to adopt the following relation between the forward draught of a tanker and her length:

$T_n = KL$, where

L - is the length of the ship, m

$K = 0,03$ for tankers of less than 20,000 d.w.tons

$K = 0,02$ for tankers of 500,000 d.w.tons

T_n - forward draught in metres

Intermediate values of K coefficient to be defined by linear interpolation.

Paragraph (3)(b). All square brackets to be deleted.

Paragraph (3)(b) and footnote 35. Apprehension of the possible appearance of "paragraph ships" is groundless, as at the present time the ratio of principal dimensions (L/B; B/T) has approached to optimum values which are governed by other factors, such as ensuring longitudinal strength, speed, reduction of building cost etc.

REGULATION 14

Paragraph (1) and paragraph (3). Square brackets at figure 4,000 to be deleted.

Paragraph (2). The words "or floating" to be added after the words "in shore".

REGULATION 15

Paragraph (1). Square brackets at figure 150 to be deleted.

Paragraph (3)(b). Square brackets to be deleted. Figure 100,000 to be substituted by 50,000.

In the USSR the practical operation of tankers of less than 100,000 tons deadweight has proved the efficiency of two slop tanks for closed cycle tank washing with consequent settling of washings. Based on this practice, the USSR is constructing 50,000 tons deadweight tankers with two slop tanks.

Paragraph (3)(d) Square brackets to be deleted.

REGULATION 16

Paragraphs (1), (2), (3) and (5). Square brackets to be deleted.

REGULATION 17

Square brackets at figure 400 to be deleted.

REGULATION 18

The words in the heading "to Reception Facilities or to the Sea" to be substituted by "to Shore or Floating Reception Facilities or to the Sea".

Paragraph (3). Square brackets at word "new" to be deleted.

REGULATION 19

The word "Shore" to be deleted in the proposed term describing the connection.

REGULATION 21

Paragraph (1). Square brackets at figures 150 and 400 to be deleted.

Paragraph (2)(a). Square brackets at sub-paragraphs (ii) and (x) to be deleted.

Paragraph (2)(a)(iii). Existing text to be substituted by:

"closing of the sea valves and the valves cutting off cargo piping from the sea valve piping in the pump room when lying alongside the terminal".

Paragraph (2)(a)(v). Existing text to be substituted by:

"opening of the sea valves and the valves cutting off cargo piping from the sea valve piping in the pump room when lying alongside the terminal".

The provisions of the existing text of paragraphs (2)(a)(iii) and (2)(a)(v) will cause an unjustified complication of the form of the Register and increase the number of entries.

The entry concerning the sea valves and cut off valves will serve as an element for control of measures for prevention of oil pollution.

Paragraph (4) and footnote 44. Retain the existing text of Paragraph (4).

Paragraph (5). The period of preservation of the Oil Record Book to be increased to three years, which will correspond to the period within which the investigation of violations should be carried out.

Paragraph (6). The words "under its jurisdiction" to be substituted by "within its territorial waters".

CHAPTER IIIREQUIREMENTS FOR MINIMIZING OIL POLLUTION FROM OIL TANKERS
DUE TO SIDE AND BOTTOM DAMAGESREGULATION 25

Footnote 48. For the purpose of the present Convention no further investigations should be made on the possible influence of the requirements of this Regulation on the design of segregated ballast tankers. Segregated ballast tankers and non-segregated ballast tankers shall comply with the subdivision and damage stability criteria as specified in Regulation 25.

REGULATION ... (without number)

Footnote 52. There is no necessity to include special provisions for the equipment of shore facilities, as well as tankers, with arrangements and piping for transferring cargo from compartments in case of accidents to oil tankers.

APPENDIX III TO ANNEX I
FORM OF OIL RECORD BOOK

The measurement units to be used in Items 18, 19, 20, 23, 24, 28, 29, 31, 34, 38, 39, 44 of the form of Oil Record Book for tankers and Items 8, 10, 11, 12, 15, 16, 21 of the form of Oil Record Book for ships other than oil tankers, should be stated.

ANNEX IIREGULATIONS FOR THE CONTROL OF POLLUTION BY
NOXIOUS LIQUID SUBSTANCES IN BULKREGULATION 1

This Regulation to be supplemented with the following definitions:

"Stationary ship" means a ship, which fulfils her functions on a fixed position in accordance with her design".

"Special Area" means a sea area where, for recognized technical reasons in relation to its oceanographic and ecological conditions and to its peculiar transportation traffic, the adoption of special mandatory methods for the prevention of sea pollution by noxious liquid substances in bulk is required. Special Areas are those listed in Regulation 5A of this Annex.

REGULATION 2

Paragraph (1) and footnote 1. See proposition to Regulation 1, regarding "Stationary ship".

REGULATION 5

Taking into consideration that substances in Category A present an essential hazard to human health or marine resources and that the majority of these substances are bioaccumulative, it is proposed to prohibit any discharge into the sea of substances in Category A or mixtures containing such substances in any concentration.

Accordingly, it is suggested to set forth Regulation 5 as follows:

Discharge of Noxious 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 those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited regardless of their concentrations.

If tanks containing such substances or mixtures are to be washed, the resulting residues shall be discharged to a slop tank and retained aboard a ship to discharge them into shore or floating reception facilities.

(2) The discharge into the sea of substances in Category B, as defined in Regulation 3(1)(b) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited.

Without prejudice to more stringent regulations which a coastal State may make within the limits of national jurisdiction such mixtures may be discharged when the following conditions are all satisfied:

- (a) the ship is proceeding en route at a speed of at least 7 knots (4 knots for barges);
 - (b) procedures and arrangements for the discharge shall be such as to assure the Administration on the basis of reliable calculation that the concentration of the substance discharged may be expected not to exceed 1 part per million in the wake immediately astern of the ship;
 - (c) the maximum quantity of cargo discharged from each tank and its associated piping system does not exceed 1 cubic metre or 1/3,000 of the tank capacity in cubic metres, whichever is greater;
 - (d) the discharge is made below the waterline, taking into account the location of the sea water intakes; and
 - (e) the discharge is made with the ship 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 those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited.

Without prejudice to more stringent regulations which a coastal State may make within the limits of national jurisdiction such mixtures may be discharged when the following conditions are all satisfied:

- (a) the ship is proceeding en route at a speed of at least 7 knots (4 knots for barges);
- (b) procedures and arrangements for the discharge shall be such as to assure the Administration on the basis of reliable calculation that the concentration of the substance discharged may be expected not to exceed 10 parts per million in the wake immediately astern of the ship;

- (c) the maximum quantity of cargo discharged from each tank and its associated piping system does not exceed 3 cubic metres or 1/1,000 of the tank capacity in cubic metres, whichever is the greater;
 - (d) the discharge is made below the waterline, taking into account the location of the sea water intakes; and
 - (e) the discharge is made with the ship not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.
- (4) Approved ventilation procedures may be used to remove cargo residues in Category B or C from a tank provided that the Administration is satisfied that the results of such procedures will be at least equivalent to those obtained by the requirements of Paragraphs (2) or (3) of this Regulation, whichever is applicable.
- (5) The discharge of substances which have not been categorized, provisionally categorized, or evaluated as referred to in Regulation 4 of this Annex, or of ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited.
- (6) The discharge of clean ballast shall not be subject to the requirements of this Regulation.
- (7) Ships while operating in a special area, shall be subject to appropriate additional requirements of Regulation 5A of this Annex.

Footnotes 5, 6, 7, 8, 9, 10. Comments of the footnotes are taken into account in the above text of Regulation 5.

Annex II to be supplemented with the following Regulation:

REGULATION 5A

Special Areas and related requirements for prevention of pollution by noxious liquid substances carried in bulk.

- (1) For the purpose of this Annex "Special Areas" shall include the Baltic Sea Area.

(2) For the purpose of this Annex 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 latitude of The Skaw in the Skagerrak.

(3) Subject to the provisions of Regulation 6 of this Annex, the discharge into the sea of substances in Category A as defined in Regulation 3(1)(a) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited regardless of their concentration.

(4) The discharge into the sea of substances in Category B, as defined in Regulation 3(1)(b) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited.

Without prejudice to more stringent regulations which a coastal State may make within the limits of national jurisdiction, such substances on decreasing their concentration to the level specified below in sub-paragraph (b) of this Paragraph and subsequent dissolution by addition of a volume of water of not less than 5% of the total volume of the tank, may be discharged to 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 (4 knots for barges);
- (b) the procedures and arrangements for discharge shall be such as to assure the Administration on the basis of reliable calculation, that the concentration is below of 0.1% of the substances weight in the wake immediately astern of the ship;
- (c) discharge is made below the waterline, taking into account the location of the seawater intakes; and
- (d) the discharge is made at a distance of not less than 12 nautical miles from the nearest land in a depth of not less than 25 metres.

(5) The discharge into the sea of substances in Category C, as defined in Regulation 3(1)(b) of this Annex or those provisionally categorized as such or ballast water, tank washings, or other residues or mixtures containing such substances, shall be prohibited. However, such mixtures may be discharged when provisions of Regulation 5(2) of this Annex are all satisfied.

REGULATION ... (without number)

Footnote 13. Regulation "Reports on Incidents Involving Release or Escape of Noxious Substances" should not be included in Annex II. Article 7 of the Convention would suffice.

REGULATION 8

Paragraph (2)(a). It is desirable to make the text more precise, as it follows from the proposed wording that on reaching the required concentration, tank washings may be discharged into reception facilities only.

Paragraph (3). The word "Administration" to be entered instead of "Contracting Government", as it corresponds to a greater extent to the level of problems to be settled.

Paragraph (4). It would be desirable to define precisely in which cases entries into the Record Book are to be made and signed by the Master and in which cases - by his officers, and to coordinate (i.e. unify as far as possible) the text with the corresponding text of Paragraph (4), Regulation 21, Annex I.

Paragraph (4), footnote 14. The proposition expressed in the footnote complicates considerably the procedure of control and to a large extent, is unnecessary. Therefore it would be desirable to decline this proposition.

REGULATION 9

Paragraph (4). See remark on Paragraph (4), Regulation 8.

Paragraph (6). Contents of this Paragraph to be interrelated with text of Article 5 of the Convention on inspection of ships with regard to rights, extent and character of inspection.

REGULATION 10

Paragraph (1) and footnote 17. There is no necessity to formulate explicit requirements for surveys.

Paragraph (1)(b). The words - "to the extent defined in the instructions developed by the Administration in accordance with Regulation 11 of this Annex" - to be added after the words - "having satisfactorily surveyed a chemical tanker".

Paragraph (1)(b) and footnote 18. The suggestion on the need for attaching a model form of a Certificate of Fitness for Carriage of Noxious Chemicals in Bulk, is supported.

Paragraph (2)(iii) and footnote 19. It is inexpedient to increase the frequency of inspections.

APPENDIX II TO ANNEX II

LIST OF NOXIOUS LIQUID SUBSTANCES CARRIED IN BULK

In connexion with the proposal to prohibit any discharge of Category A Substances it is proposed to delete Column 3 (Residual concentration criteria) in Appendix II.

ANNEX IIIREGULATION FOR THE PREVENTION OF POLLUTION BY HARMFUL
SUBSTANCES CARRIED BY SEA IN PACKAGED FORM, OR IN CARGO
CONTAINERS OR IN PORTABLE TANKS

Footnote 1. The suggestion is supported that Annex III should be retained as an Annex to the Convention, 1973.

REGULATION 1

Paragraph (1). The words - "and in accordance with Article 3 of the Convention" to be added before the words - "these regulations apply" - and again further on where appropriate in the text.

Paragraph (2). To be deleted.

REGULATION 2

The Regulation should be supplemented with a provision to the effect that the packing shall meet the requirements of the International Maritime Dangerous Goods Code.

REGULATION 3

The word "may" in the second sentence to be substituted by "shall".

ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION
BY SEWAGE FROM SHIPS

REGULATION 2

Paragraph (a). Existing text to be substituted by:

"(a) new ships of more than 200 tons gross tonnage which have beds for more than 10 persons".

Paragraph (b). Square brackets to be deleted and figure 10 to be substituted by 5.

A ten year period of postponement is too long. The current development of techniques enables this period to be decreased to 5 years.

REGULATION 3

Paragraph (5), footnote 5. The proposition made in footnote 5 may be acceptable, but only on condition that any exemption from the requirement to lead discharge pipelines onto the upper deck is dependent on the existence of a system of sewage treatment on board such as will ensure that discharges into the sea will be in accordance with adopted criteria.

REGULATION 4

Paragraph (1)(a) and footnote 8. Square brackets to be substituted by figure 12.

Paragraph (1)(b)(i). Square brackets at figure 10,000 to be deleted.

REGULATION 5

Paragraph (a) and footnote 13. The proposition made in the footnote to extend the wording of Paragraph (a) by adding the words "or of avoiding damage to a ship or its cargo" is supported.

A considerable quantity of expensive goods may be spoiled by a practically small amount of sewage.

ANNEX V.

REGULATIONS FOR THE PREVENTION OF POLLUTION
BY GARBAGE FROM SHIPS

REGULATION 1

This Regulation to be supplemented by the following paragraph:

(3) "Special Area" means a sea area where, for recognized technical reasons in relation to its oceanographical and ecological conditions and to its peculiar transportation traffic, the adoption of special mandatory methods for prevention of sea pollution by garbage is required. Special areas are those listed in Regulation 3A of this Annex.

"The special mandatory methods for prevention of sea pollution by garbage" shall be defined and agreed by Contracting Governments of the Coastal States in this special area.

Proper garbage reception facilities should be available for all ships within the special area.

REGULATION 3

Paragraph (1). The first sentence to be substituted by:

"Excepting the provisions of Regulations 3A and 4, in accordance with other provisions of this Annex:"

Paragraph (1)(c)(ii). Square brackets to be deleted.

Paragraphs (1)(d)(i) and (1)(d)(ii). Square brackets to be deleted.

Paragraph (1)(d) and footnote 6. Existing wording of the text to be retained.

It is not advisable to change it as suggested in footnote 6, as discharge of any garbage, regardless of its form and kind, should be prohibited.

Annex V to be supplemented by the following Regulation:

REGULATION 3A

Special Areas and requirements for the prevention
of pollution by Garbage from ships.

- (1) For the purpose of this Annex "Special Areas" shall include
 - a) the Baltic Sea Area.
- (2) For the purpose of this Annex 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 latitude of The Skaw in the Skagerrak.

REGULATION 4

Paragraph (a) and footnote 7. There is no necessity to broaden the text by adding the words "or of avoiding damage to a ship or its cargo", because it is hardly conceivable that damage to the ship or cargo may be inflicted by garbage.

REGULATION 5

Text of the Regulation to be supplemented by adding the words:
"taking into account the fact that the ship should be equipped with corresponding technical means".

Shore or floating facilities designed for the reception of garbage from ships will not always be in a position to handle containers with garbage from ships having high sides.
