



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee I
Agenda item 3

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

Proposed amendment to Article 4

Submitted by Spain

Article 4

- (1) Contracting States shall prohibit the discharge into the marine environment of harmful substances or effluents containing these substances in contravention of the present Convention.
- (2) An violation of the provisions of the present Convention shall be punishable 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 in the form required by its law to enable proceedings to be brought in respect of the alleged violation, it shall cause such proceedings to be taken as soon as possible.
- (3) Any violation of the provisions of the present Convention within the limits established in the Regulations or within the jurisdiction of any Contracting State shall be punishable under the law of that State. Whenever such a violation occurs that State shall either:
 - (a) cause proceedings to be taken with respect to such a violation; or
 - (b) furnish to the Administration of the ship concerned such information and evidence as may be in its possession that such a violation has occurred.

(4) 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 State which has furnished the information or evidence and the Organisation, of the action taken.

(5) The penalties provided for under the law of a Contracting State in respect of any violation of the provisions of the present Convention shall be adequate in severity to discourage any such violation.
