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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

Redraft of Annex to Article 7

Submitted by the Secretariat

As requested by Committee I, Committee II considered the draft text of the Annex to Article 7 (MP/CONF/C.1/WP.18) and agreed on the revised text as shown in the attachment.

Annex to Article 7Regulations Concerning Reports on
Incidents Involving Harmful SubstancesRegulation 1Duty to Report

(1) The Master of a ship involved in an incident referred to in Regulation 3, 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 Annex.

(2) In the event of the ship referred to in paragraph (1) of this Regulation 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 Annex.

Regulation 2Methods 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 (3) of Article 7.

Regulation 3When to Make Reports

The report shall be made whenever an incident involves:

(a) a discharge permitted under the present convention by virtue of the fact that:

(1) it is for the purpose of securing the safety of a ship or saving life at sea; or

(11) it results from damage to the ship or its equipment; or

- (b)* a discharge of a harmful substance, for the purpose of combating a specific pollution incident; or
- (c) a discharge other than as permitted under the present Convention; or
- (d) the probability of a discharge referred to in sub-paragraphs (a), (b) or (c) of this Regulation.

Regulation 4

Contents of Report

- (1) Each report shall contain, in general:
 - (a) identity of ship;
 - (b) the time and date of the occurrence of the incident;
 - (c) the 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 the correct technical names of such substances (trade names shall not be used in place of the correct technical names);
 - (b) a statement or estimate of the quantities, concentrations and conditions of harmful substances discharged or likely to be discharged into the sea; and where relevant
 - (c) a description of the packaging and identifying marks; and if possible
 - (d) the name of the consignor, consignee or manufacturer.

* Under the present Convention, such substances may only be used with the approval of the Administration and of the Government having the jurisdiction over the waters in which the substance is discharged.

(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 contain any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Regulation 5

Supplementary Report

Any person who is obliged under the provisions of this Annex 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.
