



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

Article 17 - text based on indicative voting
of Committee I

Prepared by the delegations of France, Greece, India,
Iran, Netherlands, Spain, United States of America
and the Union of Soviet Socialist Republics

1. The present Convention may be amended by any of the procedures specified in the following paragraphs.
2. Amendments after consideration by the Organization:
 - (i) any amendment proposed by a Contracting Party shall be submitted to the Organization and circulated by the Organization to all Members of the Organization and all Contracting Parties at least [6] months prior to its consideration;
 - (ii) any amendment proposed and circulated as above shall be submitted to an appropriate body by the Organization for consideration;
 - (iii) Parties to the Convention, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the appropriate body;
 - (iv) amendments shall be adopted by a two-thirds majority of only the Parties to the Convention present and voting.

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- (v) if adopted in accordance with paragraph (iv) above, amendments shall be communicated by the Organization to all the Parties to the Convention for acceptance
- (vi) an amendment shall be deemed to have been accepted in the following circumstances:
- (a) an amendment to an Article of the Convention shall be deemed to have been accepted on the date on which it is accepted by :

Option A

two-thirds of the Contracting Parties, or by Contracting Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet, whichever condition is first achieved.

Option B

two-thirds of the Contracting Parties

Option C

a majority of the Contracting Parties, including:

- (1) States with one-third of the total for all Contracting Parties of gross merchant shipping tonnage and
- (2) States with one-third of the total for all Contracting Parties of goods loaded and unloaded in international seaborne trade.

Option D

two-thirds of the Contracting Parties, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet.

- (b) an amendment to an Annex shall be deemed to have been accepted in accordance with the procedure specified in paragraph (c), 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:

(Options A, B, C as in (a) above)

- (c) an amendment to an Appendix to an Annex 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, unless within that period an objection is communicated to the Organization by:

Option A

not less than one-third of the Contracting Parties or by the Contracting Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet whichever condition is fulfilled.

Option B

not less than one-third of the Contracting Parties

Option C

not less than one-third of the Contracting Parties, or Contracting Parties, with:

- (1) one-third of the total for all Contracting Parties of gross merchant shipping tonnage, and
- (2) one-third of the total for all Contracting Parties of goods loaded and unloaded in international seaborne trade.

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

- (a) in the case of an amendment to an Article of the Convention or to an Annex to the Convention not under the procedure specified in sub-paragraph (vi)(c), the amendment accepted in conformity with the foregoing provisions shall enter into force [6] months

after the date of its acceptance with respect to the Contracting Parties which have declared that they have accepted it.

- (b) in the case of an amendment to an Appendix to an Annex or to an Annex to the Convention under the procedure specified in sub-paragraph (vi)(c), the amendment deemed to have been accepted in accordance with the foregoing conditions shall enter into force [6] months after its acceptance for all the Contracting Parties with the exception of those which, before that date, have made a declaration that they do not accept it.
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