



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee II
Agenda item 2

CONSIDERATION OF THE DRAFT TEXT OF ANNEX I OF THE
INTERNATIONAL CONVENTION FOR THE PREVENTION
OF POLLUTION FROM SHIPS, 1973

Revised Draft Regulations of Annex I

Prepared by the Secretariat

ANNEX I

REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL

CHAPTER I

GENERAL

Regulation 1

Definitions

Amendments to paragraphs (1) to (9) are given in MP/CONF/C.2/WP.11.

- (10) "Special area" means a sea area where for recognized technical reasons in relation to its oceanographical and ecological condition and to its peculiar transportation traffic the adoption of special mandatory methods for the prevention of sea pollution by oil is required. [Special areas shall be those listed in Regulation 12 of this Annex*.]
- (11) "Instantaneous rate of discharge of oil content" means the rate of discharge of oil in litres per hour at any instant divided by the speed of the ship in knots at the same instant.

* This sentence may require to be discussed again when Regulation 12 has been dealt with.

- (12) "Tank" means an enclosed space formed by the permanent structure of a ship which is designed for the carriage of liquid in bulk.
- (13) "Wing tank" means any tank adjacent to the side shell plating.
- (14) "Centre tank" means any tank inboard of a longitudinal bulkhead.
- (15) "Slop tank" means a tank specifically designated for the collection of tank drainings, tank washings, sludge and other oily mixtures.
- (16) "Clean ballast" means the ballast in a tank which since oil was last carried therein, has been so cleaned that effluent therefrom, if it were discharged from a stationary ship into clean calm water on a clear day would produce no visible traces of oil on the surface of the water or on adjoining shore lines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines. If the tank from which ballast is discharged is fitted with an oil content monitoring arrangement approved by the Administration, evidence based on such an arrangement to the effect that the oil content of the effluent did not exceed 15 parts per million* shall be determinative that the ballast was clean, notwithstanding the presence of visible traces.
- (17) "Segregated ballast" means the ballast water which is introduced into a tank permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious substances as variously defined in the Annexes of the present Convention and which is completely separated from the cargo oil and oil fuel system.
- (18) "Length" (L) means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. The length (L) shall be measured in metres.

* The Committee agreed to consider a resolution urging the Organization to promote the development of more sensitive, accurate and reliable oil content measuring instruments to facilitate a reduction of this figure in the future.

- (19) "Forward and after perpendiculars" shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the foreside of the stem on the waterline on which the length is measured.
- (20) "Amidships" is at the middle of the length (L).
- (21) "Breadth" (B) means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material. The breadth (B) shall be measured in metres.
- (22) "Deadweight" (DW) means the difference between the displacement of a ship at summer load waterline and the light weight of the ship in metric tons.*
- (23) "Lightweight" means the displacement of a ship in metric tons without cargo, oil fuel, lubricating oil, ballast-, fresh- and feedwater in tanks, [stores] and passengers and their effects.
- (24) "Permeability" of a space means the ratio of the volume within that space which can be occupied by water to the total volume of that space.
- (25) "Volumes" and "areas" shall be calculated in all cases to moulded lines.

Regulation 2

Application

- (1) Unless expressly provided otherwise, the provisions of this Annex shall apply to all ships other than [stationary ships] for which only Regulation 26 of this Annex shall apply.
- (2) In ships other than oil tankers fitted with cargo spaces which are constructed and utilized to carry oil in bulk of an aggregate capacity of 200 cubic metres or above, the requirements of Regulations [3 to 12, 15, 17, 18, 19, 21, 24(4) and 26] of this Annex for oil tankers shall apply to the construction and operation of those spaces.

* This definition may need to be reconsidered when Regulations 13 and 24 have been dealt with.

- (3) Where a cargo of noxious substances other than oil which are subject to the provisions of Annex II of the present Convention is carried in a cargo space of an oil tanker, the appropriate requirements of Annex II of the present Convention shall apply.
- (4) (a) Any hydrofoil, air-cushion vehicle and other new type of vessel (near surface submarine craft, etc.,)* whose constructional features are such as to render the application of any of the provisions of Chapters II and III of this Annex relating to the construction and equipment unreasonable or impracticable may be exempted by the Administration from such provisions, provided that the construction and equipment of that ship provides equivalent protection for the prevention of pollution by oil, having regard to the service for which it is intended.
- (b) Particulars of any such exemption granted by the Administration shall be indicated in the Certificate referred to in Regulation 5 of this Annex.
- (c) The Administration which allows any such exemption shall communicate to the Organization [as soon as possible, but not later than ninety days] particulars of same and the reasons therefor, which the Organization shall circulate to the Contracting Governments for their information and appropriate action, if necessary.

Regulation 3

Equivalents

- (1) The Administration may allow any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by this Annex if such fitting, material, appliance or apparatus is at least as effective as that required by this Annex. This authority of the

* The Secretariat considers that the wording might require improvement in order to avoid misunderstanding.

Administration does not extend to substitution of operational methods to effect the control of discharge of oil as equivalent to those design and construction features which are prescribed by Regulations in this Annex.

- (2) The Administration which allows a fitting, material, appliance or apparatus as an alternative to that required by this Annex shall communicate to the Organization for circulation to the Contracting Governments particulars thereof, together with a report of any trials made, [for their information and appropriate action, if necessary].

Regulation 4

Inspection and Survey

- (1) Every oil tanker of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above shall be subject to the surveys and inspections specified below:
 - (a) A survey before the ship is put in service or before the certificate required under Regulation 5 of this Annex is issued for the first time, which shall include a complete inspection of its structure and equipment insofar as the ship is covered by this Annex. This survey shall be such as to ensure that the arrangements and material fully comply with the applicable requirements of this Annex.
 - (b) A periodical survey at intervals specified by the Administration but not exceeding five years which shall be such as to ensure that the structure, equipment, arrangements and material fully comply with the applicable requirements of this Annex.
 - (c) A periodical inspection at intervals specified by the Administration but not exceeding thirty months which shall be such as to ensure that the equipment and associated pumps and pipings, including oil discharge monitoring and control systems, fully comply with the applicable requirements of this Annex and is in good working order. Such periodical inspection shall be endorsed on the International Oil Pollution Prevention Certificate (1973) issued under Regulation 5 of this Annex.

- (2) The Administration shall establish appropriate measures for ships which are not subjected to the provisions of paragraph (1) of this Regulation in order to ensure that the provisions of this Annex are complied with.
- (3) The survey and inspection of the ship as regards enforcement of the provisions of this Annex shall be carried out by officers of the Administration. The Administration may, however, entrust the survey and inspection either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the survey and inspection.
- (4) After any survey of the ship under this Regulation has been completed, no significant change shall be made in the structure, equipment, arrangements or material covered by the survey without the sanction of the Administration, except the direct replacement of such equipment.

Regulation 5

Issue of Certificate

- (1) An International Oil Pollution Prevention Certificate (1973) shall be issued to any oil tanker of 150 tons gross tonnage and above and any other ships of 400 tons gross tonnage and above [which are engaged on voyages so as to become subject to inspection under Article 5 of the present Convention], [for the purposes of Article 5 of the present Convention],* after survey to such ship in accordance with the provisions of Regulation 4 of this Annex.
- (2) Such Certificates shall be issued either by the Administration or by any persons or organization duly authorized by it. In every case the Administration assumes full responsibility for the certificate.

* The wording might require review depending on the final text of Article 5.

Regulation 6*

Issue of a Certificate by Another Government

- (1) A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the provisions of this Annex are complied with, shall issue or authorize the issue of an International Oil Pollution Prevention Certificate (1973) to the ship in accordance with this Annex.
- (2) A copy of the certificate and a copy of the survey report shall be transmitted as early as possible to the requesting Administration.
- (3) A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as the certificate issued under Regulation 5 of this Annex.
- (4) No International Oil Pollution Prevention Certificate (1973) shall be issued to a ship which is entitled to fly the flag of a State the Government of which is not a Contracting Government.

Regulation 7

Form of Certificates

- (1) The Certificate shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.
- (2) The forms of the Certificates to be issued to oil tankers and to ships other than oil tankers shall correspond to those of the models given in Parts A and B** of Appendix II to this Annex respectively.

* The Committee agreed that Committee III should be requested to consider whether the same regulations should not also appear in Annex II of the present Convention.

** Subject to the decision of the type of certificate in Appendix II.

Regulation 8Duration and Cancellation of Certificate

- (1) An International Oil Pollution Prevention Certificate (1973) shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue, except as provided in paragraphs (2), (3) and (4) of this Regulation.
- (2) If a ship at the time when the certificate expires is not in a port of the country in which it is registered,*the certificate may be extended by the Administration, but such extension shall be granted only for the purpose of allowing the ship to complete its voyage to the country in which it is registered or is to be surveyed and then only in cases where it appears proper and reasonable to do so.
- (3) No certificate shall be thus extended for a longer period than five months and a ship to which such extension is granted shall not on its arrival in the country in which it is registered or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or country without having obtained a new certificate.
- (4) A certificate which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it.
- (5) A Certificate shall cease to be **valid** if significant alterations have taken place in the arrangement, construction, equipment and material required without the sanction of the Administration, except the direct replacement of such equipment, and shall be cancelled by **the** Administration.
- (6) A Certificate issued to a ship by the Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (7) of this Regulation.

* The Drafting Committee is invited to review the wording in order to provide appropriate text consistent with that used in the Articles.

- (7) Upon transfer of a ship to the flag of another State, the Government of which is a Contracting Government, the International Oil Pollution Prevention Certificate (1973) shall remain in force for a period not exceeding five months, provided that it is still valid at the end of that period or until the Administration issues another International Oil Pollution Prevention Certificate (1973) to replace the former, whichever is earlier. The Contracting Government of the State whose flag the ship was entitled to fly hitherto shall transmit to the Administration as soon as possible after the transfer takes place a copy of the Certificate carried by the ship at the time of transfer, and a copy of the relevant survey report, if available.

[Regulation 8 bis

Reports on Incidents Involving Significant
Spillages of Oil]

[The Committee decided to consider this Regulation when Committee I has dealt with Article 7].

CHAPTER II

REQUIREMENTS FOR CONTROL OF
OPERATIONAL POLLUTION

Regulation 9

Control of Discharge of Oil

[To be discussed later]

Regulation 10

Exception

Regulation 9 of this Annex shall not apply to:

- (a) the discharge of oil or oily mixture from a ship necessary for the purpose of securing the safety of a ship or saving life at sea; or

- (b) [this paragraph to be discussed later].
 - (c) the discharge into the sea of substances containing oil, approved by the Administration, when being used for the purpose of combating specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will occur.
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