



IMCO

INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
COMMITTEE II
Agenda item 4

CONSIDERATION OF THE DRAFT TEXT OF ANNEXES IV AND
V OF THE DRAFT INTERNATIONAL CONVENTION FOR
THE PREVENTION OF POLLUTION FROM SHIPS 1973

Revised Draft Regulations of Annex IV

Prepared by the Secretariat

ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION BY
SEWAGE FROM SHIPS

Regulation 1

Definitions

For the purpose of this Annex:

- (1) "New ship" means a ship:
 - (a) for which the building contract is placed, or in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction on or after the date of entry into force of the present Annex; or
 - (b) the delivery of which is three years or more after the date of entry into force of the present Annex; or

- (2) "Existing ship" means a ship which is not a new ship.
- ~~(3) "Major conversion" means a conversion of an existing ship:~~
- ~~(a) which substantially alters the dimensions or carrying capacity of the ship; or~~
 - ~~(b) which changes the type of the ship; or~~
 - ~~(c) the intent of which in the opinion of the Administration is substantially to prolong its life; or~~
 - ~~(d) which otherwise so alters the ship that if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship.~~
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- (4) "Sewage" means:
- (a) drainage and other discharges from any form of toilets, urinals, and WC scuppers;
 - (b) drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;
 - (c) drainage from spaces containing living animals; or
 - (d) other waste waters when mixed with the drainages defined above.
- (5) "Holding tank" means a tank used for the collection and storage of sewage.
- (6) "Nearest land" is as defined in Regulation 1(9) of Annex I of the present Convention.

Regulation 2

Application

The requirements of this Annex shall apply to:

- (a) new ships of more than 200 tons gross tonnage and new ships of not more than 200 tons gross tonnage or which do not have a measured gross tonnage but which are designed to have on board more than 10 persons; and
- (b) existing ships of more than 200 tons gross tonnage and existing ships which do not have a measured gross tonnage but which are designed to hold more than 10 persons, 10 years after the date of entry into force of this Annex.

Regulation 3Surveys

(1) Every ship which complies with requirements of this Annex and which is engaged in voyages to ports or offshore terminals under the jurisdiction of other Contracting States shall be subject to the surveys specified below:

- (a) an initial survey before the ship is put in service or before the certificate required under Regulation 4 of this Annex is issued for the first time, which shall include a complete inspection of the ship which shall be such as to ensure:
 - (i) when the ship is equipped with a sewage treatment plant it shall meet operational requirements based on standards and the best methods developed by the Organization;
 - (ii) when the ship is equipped with a holding tank the capacity of such tank shall be to the satisfaction of the Administration for the retention of all sewage having regard to the operation of the ship, the number of persons on board and other relevant factors. The holding tank shall have some means to indicate visually the amount of its contents; and
 - (iii) when the ship is equipped with a pipeline leading to the exterior convenient for the discharge of sewage to a reception facility it shall be fitted with a standard shore connection in compliance with Regulation of this Annex.

This survey shall be such as to ensure that the structure, equipment, arrangements and material fully comply with the applicable requirements of this Annex.

- (b) Periodical surveys 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. However, where the duration of the International Sewage Pollution Prevention Certificate (1973) is extended as specified in Regulation 7(3) or (4) of this Annex, the interval of the periodical survey may be extended correspondingly.

- (2) The Administration shall establish appropriate measures for ships which are not subject to the provisions of paragraph (1) of this Regulation in order to ensure that the provisions of this Annex are complied with.
- (3) Surveys 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 surveys 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 surveys.
- (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 4

Issue of Certificate

- (1) An International Sewage Pollution Prevention Certificate (1973) shall be issued, after survey in accordance with the provisions of Regulation 3 of this Annex, to any ship which complies with the requirements of this Annex and which is engaged in voyages to ports or offshore terminals under the jurisdiction of other Contracting States.
- (2) Such Certificate 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.

Regulation 5

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 Sewage 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 4 of this Annex.

(4) No International Sewage 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 6

Form of Certificate

The Certificate shall be drawn up in the official language or languages of the issuing country in the form corresponding to the model given in Appendix to this Annex. If the language used is neither English nor French, the text shall include a translation into one of these languages.

Regulation 7

Duration of Certificate

(1) An International Sewage 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 or offshore terminal under the jurisdiction of the Contracting State whose flag the ship is entitled to fly, 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 State whose flag the ship is entitled to fly or in which it 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 period longer than five months and a ship to which such extension is granted shall not on its arrival in the State whose flag it is entitled to fly or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or State without having obtained a new certificate.

- (4) A Certificate which has not been extended under the provisions of paragraph (2) or (3) 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 construction, equipment, arrangement or material required without the sanction of the Administration, except the direct replacement of such equipment.
- (6) A Certificate issued to a ship 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.
- (7) Upon transfer of a ship to the flag of another State, the Government of which is a Contracting Government, the International Sewage Pollution Prevention Certificate (1973) shall remain in force for a period of not exceeding five months, provided that it is still valid at the end of that period or until the Administration issues another International Sewage 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, together with a copy of the relevant survey report, if available.

Regulation 8

Discharge of Sewage

- (1) Subject to the provisions of Regulation 9 of this Annex, the discharge of sewage into the sea is prohibited, except when:
- (a) the ship is discharging comminuted sewage at a distance of more than four nautical miles from the nearest land, or uncomminuted sewage at a distance of more than twelve nautical miles from the nearest land, provided that in any case, the sewage that has been stored in holding tanks shall not be discharged instantaneously but at a moderate rate when the ship is en route and proceeding at not less than 4 knots; the rate of discharge shall be approved by the Administration based upon standards developed by the Organization; or

- (b) the ship has in operation an approved sewage treatment plant which has been certified by the Administration to meet the requirements of Regulation of this Annex, and
- (i) the test results of the plant are laid down in the ship's valid International Sewage Pollution Prevention Certificate,
- (ii) additionally, the effluent shall not produce visible floating solids in, nor cause discolouration of, the surrounding water; or
- (c) the ship is situated in the waters of a State and is discharging sewage in accordance with such less severe requirements as may be imposed by such State.
- (2) When the sewage is mixed with wastes or waste water having different discharge requirements, the more severe requirements shall apply.

Regulation 9

Exceptions

Regulation 8 of this Annex shall not apply to:

- (a) the discharge of sewage from a ship necessary for the purpose of securing the safety of a ship and its personnel or saving life at sea;
- (b) the escape of sewage resulting from damage to a ship or its equipment if all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape.

Regulation 10

Reception Facilities

- (1) Each Contracting Government undertakes to ensure the provisions of facilities at ports and terminals for the reception of sewage, without causing undue delay to ships, and according to the needs of the ships using them.
- (2) As regards paragraph (1) of this Regulation, each Contracting Government shall report to the Organization for transmission to the Contracting Governments concerned all cases where the facilities are alleged to be inadequate.
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