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INTERNATIONAL CONFERENCE ON
MARINE POLLUTION, 1973
Committee III

Agenda item 3

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

Redraft of Regulation 10 of Annex II

Prepared by the Secretariat

Regulation 10

Survey

- (1) Every ship carrying in bulk noxious liquid substances which are subject to the provisions of this Annex shall be subject to the surveys specified below:
 - (a) A survey before the ship is put in service or before the certificate required under Regulation 10A 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.

- (1) A periodical survey 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, fully comply with the applicable requirements of this Annex and is in good working order. Such periodical inspection shall be endorsed on the International Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (1973) issued under Regulation 10A of this Annex.
- (2) 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.
- (3) 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 10A

Issue of Certificate

- (1) An International Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (1973) shall be issued to any ship carrying noxious substances [which are engaged on voyages so as to become subject to inspection under Article 5 of the present Convention], after survey to such ship in accordance with the provisions of Regulation 10 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.
- (3) (a) 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 Certificate of Fitness for the Carriage of Liquid Noxious Substances in Bulk (1973) to the ship in accordance with this Annex.

- (b) A copy of the certificate and a copy of the survey report shall be transmitted as early as possible to the requesting Administration.
 - (c) 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 paragraph (1) of this Regulation.
 - (d) No International Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (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.
- (4) (a) 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 those languages.
- (b) The forms of the Certificates to be issued to chemical tankers and to ships other than chemical tankers shall correspond to those of the models given in Parts A and B of Appendix V to this Annex respectively.

Regulation 10B

Duration and Cancellation of Certificate

- (1) An International Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (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.

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

- (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.
- (7) Upon transfer of a ship to the flag of another State, the Government of which is a Contracting Government, the International Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (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 Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (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.

APPENDIX V

FORMS OF INTERNATIONAL CERTIFICATE OF FITNESS
FOR THE CARRIAGE OF NOXIOUS LIQUID SUBSTANCES

A. CERTIFICATE FOR CHEMICAL TANKERS

International Certificate of Fitness for the
Carriage of Noxious Liquid Substances in Bulk (1973)
(Chemical Tankers)

(Official Seal)

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, for the purpose of certifying the compliance of the ship with the provisions of Annex II of the said Convention and the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Inter-Governmental Maritime Consultative Organization

under the authority of the Government of

.....

(full official designation of country)

by

(full official designation of the competent person or organization recognized under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973)

Name of ship	Distinctive Number or Letter	Port of Registry	Gross Tonnage	Ship Type ^{1/}

Date on which keel was laid or ship was at a similar stage of construction; in the case of a converted ship date of conversion to chemical tanker was commenced;

THIS IS TO CERTIFY:

1. That the above-mentioned ship is
 - *(i) a "new" ship as defined in paragraph 1.7.2 of the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (hereinafter referred to as the "Code");
 - *(ii) an existing ship as defined in paragraph 1.7.3 of the Code;
2. That the ship has been surveyed in accordance with the provisions of Regulation 10 of Annex II of the Convention;
3. That the survey showed that the construction and equipment of the ship:
 - *(a) complied with the relevant provisions of the Code applicable to "new" ships (paragraph 1.7.2).
 - *(b) complied with the provisions of paragraph 1.7.3(...) of the Code in respect of "existing" ships. 2/
4. That the ship is suitable for the carriage in bulk of the following products provided that all relevant operational provisions of the Code are observed 3/

Products	Conditions of Carriage (tank numbers etc.)
<p>- Continued on the annexed signed and dated sheet(s) number 1A</p> <p>- Tank numbers referred to in this list are identified on the annexed signed and dated tank plan numbered 2A</p>	

* Delete as appropriate.

5. That in accordance with paragraph 1.7.3(d)/2.2.5* the provisions of the Code are modified in respect of the ship in the following manner:

.....
.....

6. That the following arrangements and procedures have been approved by the Administration in connexion with the implementation of Regulation 5 of Annex II of the Convention:

.....
.....

7. This certificate is valid, unless previously cancelled, until the day of19..., subject to periodical survey in accordance with Regulation 10 of Annex II of the Convention.

Issued at

(place of issue of certificate)

The undersigned declares that he is duly authorized by the said Government to issue this certificate

.....
(signature of official issuing the certificate and/or seal of issuing authority)

.....,19....
(Date of issue)

* Delete as appropriate.

Notes on completion of Certificate:

- 1/ "Ship Type": Insert ship type provided for in paragraph 2.2.4 of the Code. Any entry under this column must relate to all relevant recommendations, e.g. an entry "Type II" shall mean Type II in all respects prescribed by the Code. This column will not usually apply in the case of an existing ship and in such a case shall be noted "See para. 2(b)".
- 2/ Paragraph 3(b): Insert 1.7.3(a), (b), (c), (d) according to the status of the ship in relation to the recommendations of this paragraph.
- 3/ Paragraph 4: Only products listed in Chapter VI of the Code, or which have been evaluated by the Administration in accordance with paragraph 1.8 of the Code, shall be listed. In respect of the latter "new" products, any Special Requirements provisionally prescribed shall be noted.

Periodical Surveys

This is to certify that at a periodical survey required by Regulation 10 of Annex II of the Code, this ship was found to comply with the relevant provisions of the Convention.

Place Date
Signature and/or Seal of issuing authority

Place Date
Signature and/or Seal of issuing authority

B. A CERTIFICATE FOR SHIPS OTHER THAN CHEMICAL TANKERS

International Certificate of Fitness for the Carriage of
Noxious Liquid Substances in Bulk (1973)
(Ships other than Chemical Tankers)

(Official Seal)

Issued under the provisions of the International Convention for the
Prevention of Pollution from Ships, 1973,
under the authority of the Government of

.....
(full official designation of country)

by
(full official designation of the competent
person or organization recognized under the
provisions of the International Convention
for the Prevention of Pollution from Ships, 1973)

Name of Ship	Distinctive Number or Letter	Port of Registry	Gross Tonnage

Date on which keel was laid or ship was at a similar stage
of construction:

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with the provisions of Regulation 10 of Annex II of the Convention;
2. That the survey showed that the design, construction and equipment of the ship are such as to minimize the uncontrolled release of noxious liquid substances;
3. That the ship is suitable for the carriage in bulk of the following products:

Products	Conditions of Carriage (tank numbers etc.)

- Tank numbers referred to in this list are identified on the annexed signed and dated tank plan numbered LA

4. That the following arrangements and procedures have been approved by the Administration in connexion with the implementation of Regulation 5 of Annex II of the Convention:

.....

This certificate is valid, unless previously cancelled, until theday of19...., subject to periodical survey in accordance with Regulation 10 of Annex II of the Convention.

Issued at
 (place of issue of certificate)

The undersigned declares that he is duly authorized by the said Government to issue this certificate

.....
 (signature of official
 issuing the certificate
 and/or seal of issuing
 authority)

....., 19....
 (Date of issue)

Periodical Surveys

This is to certify that at a periodical survey required by Regulation 10 of Annex II of the Code, this ship was found to comply with the relevant provisions of the Convention.

Place Date
Signature and/or Seal of issuing authority

Place Date
Signature and/or Seal of issuing authority
