



## IMCO

INTERNATIONAL CONFERENCE ON  
MARINE POLLUTION, 1973  
Committee III  
Agenda item 5

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

Submitted by a Group of Interested Countries

A Group representing the following countries: Canada, Germany, Federal Republic of, Sweden, the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, considered the draft texts of Annex III and the associated Resolutions and prepared a Working Paper, which it is hoped will assist the Committee in its considerations.

The Group did not discuss the merits of the alternative presentation of the Annex as it was felt that this was a matter best considered by the Conference.

The following changes are proposed:

Title

Add the words "on road and rail tank wagons" to the title of the Annex.

Regulation 1

- 1(1) The words "on road and rail tank wagons" should be added.
- 1(2) The Group considered that the square brackets could be removed from this paragraph.

- 1(3) Amend the detailed instructions to cover: packaging, marking and labelling, documentation, stowage, quantity limitations, exceptions, arrangements for recovery, [incident reporting procedure], loading and unloading .....
- 1(4) "on road and rail tank wagons" should be added.

#### Regulation 2

"on road and rail tank wagons" should be added.

#### Regulation 3

Regulation 3 is amended to read as follows:

##### "Marking and Labelling"

Packages, whether shipped individually or in units or in freight containers, freight containers, portable tanks or road and rail tank wagons containing a harmful substance, shall be durably marked with the correct technical name (trade names shall not be used as the correct technical name), and further marked with a distinctive label or stencil of label, indicating that the contents are harmful. Such identification shall be supplemented where possible by any other means, for example by the use of the UN number of the substance assigned by the United Nations Committee of Experts on the Transport of Dangerous Substances."

#### Regulation 4

- 4(1) Paragraph (1) is amended as follows:

"... the correct technical name of the substances shall be listed first (trade names shall not be used as the correct technical name)."

- 4(2) Paragraph (2) is amended as follows:

"... marked and labelled in accordance with the detailed instructions issued by the Governments concerned according to Regulation 1(3) and in proper condition ..."

- 4(3) In Regulation 4 paragraph (3) a new sentence should be added as follows:

"Copies of such documents should also be retained on shore by the owner of the ship or his representative until the harmful substances are unloaded."

- 4(4) "shall" in the last line of paragraph (4) has been amended to "may", and a new sentence should be added as follows:

"Where documents are combined, a clear distinction shall be made between dangerous goods and other harmful substances."

#### Regulation 5

No change.

#### Regulation 6

The following changes are suggested for Regulation 6:

"Certain harmful substances which are very hazardous to the marine environment may, for sound scientific and technical reasons, need to be prohibited for carriage or be limited ..."

The second sentence, last line, should read:

"as well as the packaging and the inherent nature of the substance".

#### Regulation 7

The proposal made by Canada in MP/CONF/8/Add.1 was discussed at length but no general agreement reached.

#### Regulation 8

No change.

#### Regulation [ ] 6/

No decision was taken about the need to elaborate a Regulation on reporting procedure as this was a matter which was being discussed by Committee I.

## Proposed new Regulation [    ]

The majority felt that there should be a new regulation as follows:

"Loading and Unloading

With respect to certain harmful substances, as may be designated by a Contracting State, the master or owner of the ship or his representative should, before loading or unloading such substances, notify the appropriate port authority in order that it may take any special measures necessary in preparation for handling those substances and provide any safeguards that may be required in the event that an accidental discharge of those substances should occur."

DRAFT RESOLUTION 7

Add the words "on road and rail tank wagons" to the title and paragraph 1.

Amend the detailed instructions in paragraph 1 to cover packaging, marking and labelling, documentation, stowage, quantity limitations, exceptions, arrangements for recovery, [incident reporting procedure], loading and unloading ...

Paragraph 4 is amended to read as follows:

"RECOGNIZING that provisions concerning harmful substances, as defined in Article 2(3) of the International Convention for the Prevention of Pollution from Ships, 1973, must be specified ..."

The second line of paragraph 5(a) is amended to read:

"the carriage of harmful substances in packaged form, freight containers, portable tanks or road and rail tank wagons ..."

The final line of paragraph 5(b) is amended to read:

"development of an international code for harmful substances in packaged form, freight containers, portable tanks or road and rail tank wagons, in either case taking into account:"

The second line of sub-paragraph (b)(1) is amended to read:

"marine environment whether or not classed as dangerous goods;"

In paragraph 5(c) the list of conditions is amended to include:

"(viii) [incident reporting procedure], and

(ix) loading and unloading."

The wording of the third line of paragraph 5(d) is amended to read:

"regulations and standards for the carriage of harmful substances in packaged form, freight containers, portable tanks or road and rail tank wagons that ..."

The final line of paragraph 5(e) is amended to read:

"contained in Annex III to the International Convention for the Prevention of Pollution from Ships, 1973."

ADDENDUM TO FOOTNOTE 1 OF ANNEX III

Add the words "on road and rail tank wagons" to the title and the first and third paragraphs.

Insert "1960" before "Safety Convention" in the last line of paragraph 5.

Paragraph 6 is amended to read as follows:

"RECOGNIZING that provisions concerning harmful substances, as defined in Article 2(3) of the International Convention for the Prevention of Pollution from Ships, 1973, must be specified ..."

Paragraph 7(a) is amended in the second line to read as follows:

"the carriage of harmful substances in packaged form, cargo containers, portable tanks or road and rail tank wagons ..."

Paragraph 7(b) is amended in the final line to read as follows:

"development of an international code for harmful substances in packaged form, freight containers, portable tanks or road and rail tank wagons, in either case taking into account:"

Sub-paragraph (b)(i) is amended in the second line to read:

"marine environment whether or not classed as dangerous goods"

In paragraph 7(c) the list of conditions is amended to include:

"(viii) [incident reporting procedure], and

(ix) loading and unloading."

Paragraph 7(d) is amended in the third line to read as follows:

"standards for the carriage of harmful substances in packaged form, freight containers, portable tanks on road and rail tank wagons that ..."

Paragraph 7(e) is amended in the third line to read:

"provision for the inclusion in a separate Annex to the International Convention for ..."

Paragraph 8(b) is amended to read:

"to issue or cause to be issued detailed instructions on packaging, marking and labelling, documentation, stowage, quantity limitations, exceptions, arrangements for recovery [incident reporting procedure], loading and unloading for preventing or minimizing pollution of the marine environment by harmful substances in packaged form, cargo containers, portable tanks or road and rail tank wagons."

#### APPENDIX TO THE DRAFT RESOLUTIONS

Since the texts of the Recommendations in this Appendix are substantially the same as the Regulations in the Annex, the Group did not consider it necessary to report in detail the amendments, which follow those made to the Regulations.

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