



IMCO

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CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

Text of Annex V as agreed by the Drafting Committee

ANNEX V

REGULATIONS FOR THE PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS

Regulation 1

Definitions

For the purposes of this Annex

- (1) "Garbage" means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the present Convention.
- (2) "Nearest land". The term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with the Geneva Convention on the Territorial Sea and the Contiguous Zone, 1958 except that, for the purposes of the present Convention "from the

nearest land" off the north eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11° South, longitude $142^{\circ}08'$ East to a point in latitude $10^{\circ}35'$ South, longitude $141^{\circ}55'$ East - thence to a point latitude $10^{\circ}00'$ South, longitude $142^{\circ}00'$ East, thence to a point latitude $9^{\circ}10'$ South, longitude $143^{\circ}52'$ East, thence to a point latitude $9^{\circ}00'$ South, longitude $144^{\circ}30'$ East, thence to a point latitude $13^{\circ}00'$ South, longitude $144^{\circ}00'$ East, thence to a point latitude $15^{\circ}00'$ South, longitude $146^{\circ}00'$ East, thence to a point latitude $18^{\circ}00'$ South, longitude $147^{\circ}00'$ East, thence to a point latitude $21^{\circ}00'$ South, longitude $153^{\circ}00'$ East, thence to a point on the coast of Australia in latitude $24^{\circ}42'$ South, longitude $153^{\circ}15'$ East.

(5) "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 garbage is required. Special areas shall include those listed in Regulation 5 of this Annex.

Regulation 2

Application

The provisions of this Annex shall apply to all ships.

Regulation 3

Disposal of Garbage Outside Special Areas

- (1) Subject to the provisions of this Annex:
 - (a) the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets and plastic garbage bags is prohibited;
 - (b) the disposal into the sea of the following garbage shall be made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than:
 - (i) 25 nautical miles for dunnage, lining and packing materials which will float;

- (ii) 12 nautical miles for food wastes and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse;
 - (c) disposal into the sea of garbage specified in sub-paragraph (b)(ii) of this Regulation may be permitted when it is passed through a comminuter or grinder and made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than 3 nautical miles. Such comminuted or ground garbage shall be capable of passing through a screen with openings no greater than 25 millimetres.
- (2) When the garbage is mixed with other discharges having different disposal or discharge requirements the more severe requirements shall apply.

Regulation 4

Disposals from Drilling Rigs

Fixed or floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources, and all other ships when alongside such platforms or within 500 metres of such platforms, are forbidden to dispose of any materials regulated by this Annex, except as permitted below:

The disposal into the sea of food wastes when passed through a comminuter or grinder from such fixed or floating drilling rigs located more than 12 nautical miles from land and all other ships when positioned as above. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

Regulation 5

Disposal of Garbage within Special Areas

- (1) For the purpose of this Annex the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area and the "Gulfs area" which are defined as follows:
- (a) The Mediterranean Sea area means the Mediterranean Sea proper including the gulfs and seas therein with the boundary between the

Mediterranean and the Black Sea constituted by the [41°N] parallel and bounded to the west by the Straits of Gibraltar at the meridian of 5°36'W.

- (b) The Baltic Sea area means the Baltic Sea proper with the Gulf of Bothnia and the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57°44.8'N.
 - (c) The Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel [41°N].
 - (d) The Red Sea area means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12°3.5'N, 43°19.6'E) and Husn Murad (12°40.4'N, 43°30.2'E).
 - (e) The "Gulfs area" means the sea area located north west of the rhumb line between Ras al Hadd (22°30'N, 59°48'E) and Ras al Fasteh (25°04'N, 61°25'E).
- (2) Subject to the provisions of Regulation 6 of this Annex:
- (a) disposal into the sea of the following is prohibited:
 - (i) all plastics, including but not limited to synthetic ropes, synthetic fishing nets and plastic garbage bags;
 - (ii) all other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;
 - (b) disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land.
- (3) When the garbage is mixed with other discharges having different disposal or discharge requirements the more severe requirements shall apply.
- (4) Reception facilities within special areas.
- (a) Each Contracting State, the coast line of which borders a Special Area undertakes to ensure that as soon as possible in all ports within a Special Area, adequate reception facilities are provided in accordance with Regulation 7 of this Annex, taking into account the special needs of ships operating in these areas.

- (b) Each Contracting Government concerned shall notify the Organization of the measures taken pursuant to sub-paragraph (a) of this Regulation. Upon receipt of sufficient notifications the Organization shall establish a date from which the requirements of this Regulation in respect of the area in question shall take effect. The Organization shall notify all Contracting Governments of the date so established no less than 12 months in advance of that date.
- (c) After date so established, ships calling also at ports in these Special Areas where such facilities are not yet available, shall fully comply with the requirements of this Regulation.

Regulation 6

Exception

Regulations 3, 4 and 5 of this Annex shall not apply to:

- (a) the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship, the health of its personnel, or saving life at sea;
- (b) the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape.
- (c) the accidental loss of synthetic fishing nets or synthetic material incidental to the repair of such nets, provided that all reasonable precautions have been taken to prevent such loss.

Regulation 7

Reception Facilities

- (1) Each Contracting Government undertakes to ensure the provisions of facilities at ports and terminals for the reception of garbage, 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 notify the Organization for transmission to the Contracting Governments concerned of all cases where the facilities are alleged to be inadequate.
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