



**IMCO**

INTERNATIONAL CONFERENCE ON  
MARINE POLLUTION, 1973  
Agenda item 7

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

Text of Annex II as agreed by the Drafting Committee

ANNEX II

[DRAFT] REGULATIONS FOR THE CONTROL OF POLLUTION  
BY NOXIOUS LIQUID SUBSTANCES IN BULK

Corrigenda

Pages 11, 12, 21, 22 and 41 of document MP/CONF/WP.3 should be replaced  
by the following:

Regulation 6

Exception

Regulation 5 of this Annex shall not apply to:

- (a) the discharge into the sea of noxious liquid substances or mixtures containing such substances necessary for the purpose of securing the safety of a ship or saving life at sea; or
- (b) the discharge into the sea of noxious liquid substances or mixtures containing such substances resulting from damage to a ship or its equipment:
  - (i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and
  - (ii) except if [the owner or]\* the Master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result, [provided that in the case of such act or omission of the Master it is also proved that he was acting within the scope of his employment; or
- (c) the discharge into the sea of noxious liquid substances or mixtures containing noxious liquid substances that are 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.]\*

Regulation 7

Reception Facilities

(1) Each Contracting Government shall take appropriate steps to ensure the provision of reception facilities according to the needs of ships using its ports, terminals or repair ports as follows:

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\* Plenary is requested to consider the wording in square brackets as these matters are of a legal nature.  
The Drafting Committee inserted the provisions of sub-paragraphs (b)(ii) and (c) in order to bring this Regulation in line with Regulation 11 of Annex I.

- (a) cargo loading and unloading ports and terminals shall have facilities adequate for reception without undue delay to ships of such residues and mixtures containing noxious liquid substances as would remain for disposal from ships carrying them as a consequence of the application of this Annex; and
  - (b) ship repair ports undertaking repairs to chemical tankers shall have facilities adequate for the reception of residues and mixtures containing noxious liquid substances.
- (2) Each Contracting Government shall determine the types of facilities provided for the purpose of paragraph (1) of this Regulation at each cargo loading and unloading port, terminal and ship repair port in its territories and notify the Organization thereof.
- (3) Each Contracting Government shall notify to the Organization, for transmission to the Contracting Governments concerned, any case where facilities required under paragraph (1) of this Regulation are alleged to be inadequate.

#### Regulation 8

##### Measures of Control

- (1) Each Contracting Government shall appoint or authorize surveyors whose duties shall include the inspection of ship-board operations for the purpose of implementing this Regulation.

##### Category A Substance in All Areas

- (2) (a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book.
  - (b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connection with that tank shall also be entered in the Cargo Record Book.
- (3) If the tank is to be washed:
- (a) The effluent from the tank washing operation shall be discharged from the ship to a reception facility at least until the concentration of the substance in the discharge, as indicated by analyses of samples of the effluent taken by the surveyor, has fallen to the

Regulation 11

Issue of Certificate

- (1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (1973) shall be issued to any ship carrying noxious liquid substances which are engaged in voyages to ports or offshore terminals under the jurisdiction of other Contracting States after survey of such ship in accordance with the provisions of Regulation 10 of this Annex.
- (2) Such Certificate shall be issued either by the Administration or by a person or organization duly authorized by it. In every case the Administration shall assume 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 a Certificate 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 soon 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 shall have the same force and receive the same recognition as a certificate issued under paragraph (1) of this Regulation.  
  
(d) No International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (1973) shall be issued to any 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 an official language of the issuing country in a form corresponding to the model given in Appendix V to this Annex. If the language used is neither English nor French, the text shall include a translation into one of those languages.

Regulation 12Duration and Cancellation of Certificate

- (1) An International Pollution Prevention Certificate 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) 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) 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 alternations have taken place in the structure, equipment, fittings, arrangements and material required by this Annex without the sanction of the Administration, except the direct replacement of such equipment or fitting for the purpose of repair or maintenance or <sup>if</sup> intermediate surveys as specified by the Administration under Regulation 10(1)(c) of this Annex are not carried out.
- (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.

Intermediate surveys

This is to certify that at an Intermediate survey required by Regulation 10(1)(c) of Annex II of the said Convention, this ship and the condition thereof is found to comply with the relevant provisions of the said Convention.

Signed .....  
(Signature of duly authorized official)

Place .....

Date .....

(Seal or stamp of the Authority, as appropriate)

Signed .....  
(Signature of duly authorized official)

Place .....

Date .....

(Seal or stamp of the Authority, as appropriate)

Under the provisions of Regulation 12(2) and (4) of Annex II of the Convention the validity of this Certificate is extended until

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Signed .....  
(Signature of duly authorized official)

Place .....

Date .....

(Seal or stamp of the Authority, as appropriate)

