



## IMCO

INTERNATIONAL CONFERENCE ON  
MARINE POLLUTION, 1973  
Agenda item 7

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

Dates for Application of the Tank Size Limitation  
(Regulation 24 of Annex I)

Submitted by Japan

The 1971 Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil 1954 introduced certain requirements relating to limitation of size and arrangements of cargo tanks. These amendments, when they come into force, apply to tankers the building contracts for which are placed after 1 January 1972 or in the absence of building contracts the keels of which are placed after 30 June 1972.

The seventh Assembly of IMCO which adopted these amendments (Resolution A.246(VII)) invited all governments concerned to put into effect these amendments as soon as possible without awaiting the entry into force of the amendments. Several Governments, including the Government of Japan, have already taken such action and the great majority of tanker owners have anticipated the early coming into force of these 1971 amendments and acted accordingly.

Committee II has now agreed to incorporate the technical requirements of the 1971 amendments, virtually without alteration, in Chapter III of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, however the Committee also decided, by a slight majority, to change the dates quoted above to 1 January 1974 and 30 June 1974.

It does seem most inequitable that tanker owners whose governments acted according to IMCO Resolution, and responsible tanker owners of other countries which have already entered into commercial contracts in good faith on the basis

of the dates specified in the Resolution, shall in effect be penalised by the decision to advance the dates from which these requirements should apply.

A draft resolution intended to solve this problem by urging all governments to accept the 1971 amendments to the 1954 Convention as soon as possible does not seem likely to work effectively as we have already seen in the case of previous IMCO Resolutions.

If the draft resolution were to be effective, the 1971 amendments must come into force before the 1973 Convention. However, there is little possibility of the 1971 amendments coming into force earlier than the 1973 Convention, since only six countries have so far accepted these amendments and acceptance by another twenty-six countries is needed to meet the requirement for its coming into force as laid down in the 1954 Convention (MP/CONF/INF.10) whereas acceptance by only fifteen countries suffices for the coming into force of the 1973 Convention.

Another difficulty is that, since the 1971 amendments grant two years' grace to tankers which are contracted after 1 January 1972 but before the date on which the amendments come into force, tankers which are contracted during 1972 and 1973 would be totally exempted from tank size limitation if the 1973 Convention comes into force before or within two years after the 1971 amendments come into force.

For these reasons, this delegation believes that any change in these dates will cause unnecessary and undue confusion in shipping circles and, furthermore, will undermine confidence in the effectiveness of IMCO as a regulatory agency.

Therefore, the delegation of Japan hereby submits a proposal to keep these dates as established in the 1971 amendments to the 1954 Convention and originally proposed in the draft text prepared by IMCO.

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