

Resolution MEPC 16(22)

adopted on 5 December 1985

ADOPTION OF AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 (RELATING TO ANNEX II OF THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 AS MODIFIED BY THE PROTOCOL OF 1978 RELATING THERETO)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention of the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING Article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1973 Convention") and Article VI of the Protocol of 1978 relating to the 1973 Convention (hereinafter referred to as the "1978 Protocol") which together specify the amendment procedure of the 1973 Convention and confers upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL 73/78),

HAVING CONSIDERED at its twenty-second session amendments to the 1978 Protocol proposed and circulated in accordance with article 16(2)(a) of the 1973 Convention,

1. ADOPTS in accordance with article 16(2)(d) of the 1973 Convention amendments to the Annex of the 1978 Protocol (relating to Annex II of MARPOL 73/78), the text of which is set out in the Annex to the present resolution;
2. DETERMINES in accordance with article 16(2)(f)(iii) of the 1973 Convention that the amendments shall be deemed to have been accepted on 5 October 1986 unless prior to this date one third or more of the Parties or two Parties or two combined merchant fleets of which constitute fifty per cent or more of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;
3. INVITES the Parties to note that in accordance with article 16(2)(g)(ii) of the 1973 Convention the amendments shall enter into force on 6 April 1987 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General in conformity with article 16(2)(e) of the 1973 Convention to transmit to all Parties to the 1978 Protocol certified copies of the present resolution and the text of the amendments contained in the Annex;
5. FURTHER REQUESTS the Secretary-General to transmit to the Members of the Organization which are not Parties to the 1978 Protocol copies of the resolution and its Annex.

ANNEX

AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

ANNEX II

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

Regulation 1

Definitions

The following new paragraphs (10) to (14) are added to the existing text:

"(10) 'International Bulk Chemical Code' means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC 19(22), as may be amended by the Organization, provided that such amendments are adopted and brought into force in accordance with the provisions of Article 16 of the present Convention concerning amendment procedures applicable to an Appendix to an Annex.

(11) 'Bulk Chemical Code' means the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC 20(22), as may be amended by the Organization, provided that such amendments are adopted and brought into force in accordance with the provisions of Article 16 of the present Convention concerning amendment procedures applicable to an Appendix to an Annex.

(12) 'Ship constructed' means a ship the keel of which is laid or which is at a similar stage of construction. A ship converted to a chemical tanker, irrespective of the date of construction, shall be treated as a chemical tanker constructed on the date on which such conversion commenced. This conversion provision shall not apply to the modification of a ship which complies with all of the following conditions:

(a) the ship is constructed before 1 July 1986; and

(b) the ship is certified under the Bulk Chemical Code to carry only those products identified by the Code as substances with pollution hazards only.

(13) 'Similar stage of construction' means the stage at which:

(a) construction identifiable with a specific ship begins; and

(b) assembly of that ship has commenced comprising at least 50 tons or one per cent of the estimated mass of all structural material, whichever is less.

Regulation 2

Application

The following new paragraphs (4), (5), and (6) are added to the existing text:

"(4) For ships constructed before 1 July 1986, the provisions of Regulation 5 of this Annex in respect of the requirement to discharge below the waterline and maximum concentration in the wake astern of the ship shall apply as from 1 January 1988.

(5) The Administration may allow any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by this Annex if such fitting, material, appliance or apparatus is at least as effective as that required by this Annex. This authority of the Administration shall not extend to the substitution of operational methods to effect the control of discharge of noxious liquid substances as equivalent to those design and construction features which are prescribed by Regulations in this Annex.

(6) The Administration which allows a fitting, material, appliance or apparatus as alternative to that required by this Annex, under paragraph (5) of this Regulation, shall communicate to the Organization for circulation to the Parties to the Convention, particulars thereof, for their information and appropriate action, if any."

Regulation 3

Categorization and Listing of Noxious Liquid Substances

In paragraph (1) of the existing text, the phrase "except Regulation 13", is deleted.

Regulation 5

Discharge of Noxious Liquid Substances

In paragraph (1) the existing text of the last sentence before sub-paragraph (a) is replaced by:

"Any water subsequently added to the tank may be discharged into the sea when all the following conditions are satisfied:"

In paragraph (5) the existing text of the third sentence is replaced by:

"Any water subsequently introduced into the tank shall be regarded as clean and shall not be subject to paragraph (1), (2), (3) or (4) of this Regulation."

In paragraph (7) the existing text of the last sentence before sub-paragraph (a) is replaced by:

"Any water subsequently added to the tank may be discharged into the sea when all the following conditions are satisfied:"

In paragraph (8) the existing text of paragraph (a) is replaced by:

"(a) the tank has been prewashed in accordance with the procedure approved by the Administration and based on standards developed by the Organization and the resulting tank washings have been discharged to a reception facility."

In paragraph (10) the third sentence of the existing text is replaced by:

"Any water subsequently introduced into the tank shall be regarded as clean and shall not be subject to paragraph (7),

(8) or (9) of this Regulation."

The following new Regulation 5A is added to the existing text:

"Regulation 5A

Pumping, Piping and Unloading Arrangements

(1) Every ship constructed on or after 1 July 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a Category B substance does not retain a quantity of residue in excess of 0.1 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(2)(a) Subject to the provisions of sub-paragraph (b) of this paragraph, every ship constructed before 1 July 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a Category B substance does not retain a quantity of residue in excess of 0.3 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(b) Until 2 October 1994 ships referred to in sub-paragraph (a) of this paragraph if not in compliance with the requirements of that sub-paragraph shall, as a minimum, be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category B substance does not retain a quantity of residue in excess of 1 cubic metre or 1/3000 of the tank capacity in cubic metres, whichever is greater, in that tank and the associated piping.

(3) Every ship constructed on or after 1 July 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a Category C substance does not retain a quantity of residue in excess of 0.3 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(4)(a) Subject to the provisions of sub-paragraph (D) of this paragraph, every ship constructed before 1 July 1986 shall be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions, that each tank designated for the carriage of a Category C substance does not retain a quantity of residue in excess of 0.9 cubic metres in the tank's associated piping and in the immediate vicinity of that tank's suction point.

(b) Until 2 October 1994 the ships referred to in sub-paragraph (a) of this paragraph if not in compliance with the requirements of that sub-paragraph shall as a minimum, be provided with pumping and piping arrangements to ensure, through testing under favourable pumping conditions and surface residue assessment, that each tank designated for the carriage of a Category C substance does not retain a quantity of residue in excess of 3 cubic metres or 1/1000 of the tank capacity in cubic metres, whichever is greater, in that tank and the associated piping.

(5) Pumping conditions referred to in paragraphs (1), (2), (3) and (4) of this Regulation shall be approved by the Administration and based on standards developed by the Organization. Pumping efficiency tests referred to in paragraphs (1), (2), (3) and (4) of this Regulation shall use water as the test medium and shall be approved by the Administration and based on standards developed by the Organization. The residues on cargo tank surfaces, referred to in paragraphs (2)(b) and (4)(b) of this Regulation shall be determined based on standards developed by the Organization.

(6)(a) Subject to the provision of sub-paragraph (b) of this paragraph, the provisions of paragraphs (2) and (4) of this Regulation need not apply to a ship constructed before 1 July 1986 which is engaged in restricted voyages as determined by the Administration between:

(i) ports or terminals within a State Party to the present Convention; or

(ii) ports or terminals of States Parties to the present Convention.

(b) The provisions of sub-paragraph (a) of this paragraph shall only apply to a ship constructed before 1 July 1986 if:

(i) each time a tank containing Category B or C substances or mixtures is to be washed or ballasted, the tank is washed in accordance with a prewash procedure approved by the Administration and based on Standards developed by the Organization and the tank washings are discharged to a reception facility;

(ii) subsequent washings or ballast water are discharged to a reception facility or at sea in accordance with other provisions of this Annex;

(iii) the adequacy of the reception facilities at the ports or terminals referred to above, for the purpose of this paragraph, is approved by the Governments of the States Parties to the present Convention within which such ports or terminals are situated;

(iv) in the case of ships engaged in voyages to ports or terminals under the jurisdiction of other States Parties to the present Convention, the Administration communicates to the Organization, for circulation to the Parties to the Convention, particulars of the exemption, for their information and appropriate action, if any; and

(v) the Certificate required under this Annex is endorsed to the effect that the ship is solely engaged in such restricted voyages.

(7) For a ship whose constructional and operational features are such that ballasting of cargo tanks is not required and cargo tank washing is only required for repair or dry-docking, the Administration may allow exemption from the provisions of paragraphs (1), (2), (3) and (4) of this Regulation, provided that all of the following conditions are complied with:

(a) the design, construction and equipment of the ship are approved by the Administration, having regard to the service for which it is intended;

(b) any effluent from tank washings which may be carried out before a repair or drydocking is discharged to a reception facility, the adequacy of which is ascertained by the Administration;

(c) the Certificate required under this Annex indicates;

(i) that each cargo tank is certified for the carriage of only one named substance; and

(ii) the particulars of the exemption;

(d) the ship carries a suitable operational manual approved by the Administration; and

(e) in the case of ships engaged in voyages to ports or terminals under the jurisdiction of other States Parties to the present Convention, the Administration communicates to the Organization, for circulation to the Parties to the Convention, particulars of the exemption, for their information and appropriate action, if any."

Regulation 7

The existing title of this Regulation is replaced by "Reception Facilities and Cargo Unloading Terminal Arrangements"

The following new paragraph (3) is added to the existing text:

"(3) The Government of each Party to the Convention shall undertake to ensure that cargo unloading terminals shall provide arrangements to facilitate stripping of cargo tanks of ships unloading noxious liquid substances at these terminals. Cargo hoses and piping systems of the terminal, containing noxious liquid substances received from ships unloading these substances at the terminal, shall not be drained back to the ship."

The existing text of paragraph (3) is renumbered as (4) and replaced by the following:

"(4) Each Party shall notify the Organization, for transmission to the Parties concerned, of any case where facilities required under paragraph (1) or arrangements required under paragraph (3) of this Regulation are alleged to be inadequate. "

The existing text of Regulation 8 is replaced by the following:

"Regulation 8

Measures of Control

(l)(a) The Government of each Party to the Convention shall appoint or authorize surveyors for the purpose of implementing this Regulation. The surveyors shall execute control in accordance with control procedures developed by the Organization.

(b) The master of a ship carrying noxious liquid substances in bulk shall ensure that the provisions of Regulation 5 and this Regulation have been complied with and that the Cargo Record BOOK is completed in accordance with Regulation 9 of this Annex whenever operations as referred to in that Regulation take place.

(c) An exemption referred to in paragraph (2)(D), (5)(b), (6)(c) or (7)(c) of this Regulation may only be granted by the Government of the receiving Party to a ship engaged in voyages to ports or terminals under the jurisdiction of other States Parties to the present Convention. When such an exemption has been granted, the appropriate entry made in the Cargo Record Book shall be endorsed by the surveyor referred to in sub-paragraph (a) of this paragraph.

Category A substances in all areas

(2) With respect to Category A substances the following provisions shall apply in all areas:

(a) A tank which has been unloaded shall, subject to the provisions of sub-paragraph (b) of this paragraph, be washed in accordance with the requirements of paragraph (3) or (4) of this Regulation before the ship leaves the

port of unloading.

(b) At the request of the ship's master, the Government of the receiving Party may exempt the ship from the requirements referred to in sub-paragraph (a) of this paragraph, where it is satisfied that:

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the provisions of paragraph (3) or (4) of this Regulation are complied with at another port provided that it has been confirmed in writing that a reception facility at that port is available and is adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the Administration and based on standards developed by the Organization.

(3) If the tank is to be washed in accordance with sub-paragraph (2)(a) of this Regulation, the effluent from the tank washing operation shall be discharged 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 residual concentration specified for that substance in Appendix II to this Annex. When the required residual concentration has been achieved, remaining tank washings shall continue to be discharged to the reception facility until the tank is empty. Appropriate entries of these operations shall be made in the Cargo Record Book and endorsed by the surveyor referred to under paragraph (1) (a) of this Regulation.

(4) Where the Government of the receiving party is satisfied that it is impracticable to measure the concentration of the substance in the effluent without causing undue delay to the ship, that Party may accept an alternative procedure as being equivalent to paragraph (3) of this Regulation provided that:

(a) The tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization; and

(b) The surveyor referred to under paragraph (1) (a) certifies in the Cargo Record Book that:

(i) the tank, its pump and piping systems have been emptied; and

(ii) the prewash has been carried out in accordance with the prewash procedure approved by the Administration for that tank and that substance; and

(iii) the tank washings resulting from such prewash have been discharged to a reception facility and the tank is empty.

Category Band C substances outside Special Areas

(5) With respect to Category Band C substances, the following provisions shall apply outside Special Areas:

(a) A tank which has been unloaded shall, subject to the provisions of sub-paragraph (b) of this paragraph, be prewashed before the ship leaves the port of unloading, whenever:

(i) the substance unloaded is identified in the standards developed by the Organization as resulting in a residue quantity exceeding the maximum quantity which may be discharged into the sea under Regulation 5(2) or (3) of this Annex in case of Category B or C substances respectively; or

(ii) the unloading is not carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organization as referred to under Regulation 5A(5) of this Annex, unless alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (1) (a) of this Regulation, to remove the cargo residues from the ship to quantities specified in Regulation SA of this Annex as applicable.

The prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at the port of unloading.

(b) At the request of the ship's master, the Government of the receiving party may exempt the ship from the requirements of sub-paragraph (a) of this paragraph, where it is satisfied that:

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed nor ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged to a reception facility at another port, provided that it has been confirmed in writing that a reception facility at that port is available and adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the Administration and based on standards developed by the Organization.

Category B substances within Special Areas

(6) With respect to Category B substances, the following provisions shall apply within Special Areas:

(a) A tank which has been unloaded shall, subject to the provisions of sub-paragraph (b) and (c), be prewashed before the ship leaves the port of unloading. The prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at the port of unloading.

(b) The requirements of sub-paragraph (a) of this paragraph do not apply when all the following conditions are satisfied:

(i) the Category B substance unloaded is identified in the standards developed by the Organization as resulting in a residue quantity not exceeding the maximum quantity which may be discharged into the sea outside Special Areas under Regulation 5(2) of this Annex, and the residues are retained on board for subsequent discharge into the sea outside the Special Area in compliance with Regulation 5(2) of this Annex; and

(ii) the unloading is carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organization as referred to under Regulation SAC 5) of this Annex, or failing to comply with the approved pumping conditions, alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (l)(a) of this Regulation, to remove the cargo residues from the ship to quantities specified in Regulation SA of this Annex as applicable.

(c) At the request of the ship's master, the Government of the receiving party may exempt the ship from the requirements of sub-paragraph (a) of this paragraph, where it is satisfied that;

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged to a reception facility at another port, provided that it has been confirmed in writing that a reception facility at that port is available and adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the Administration and based on standards developed by the Organization.

Category C substances within Special Areas

(7) With respect to Category C substances, the following provisions shall apply within Special Areas:

(a) A tank which has been unloaded shall, subject to the provisions of sub-paragraphs (b) and (c) of this paragraph, be prewashed before the ship leaves the port of unloading, whenever:

(i) the Category C substance unloaded is identified in the standards developed by the Organization as resulting in a residue quantity exceeding the maximum quantity which may be discharged into the sea under Regulation 5(9) of this Annex; or

(ii) the unloading is not carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organization as referred to under Regulation 5A(5) of this Annex, unless alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (l) (a) of this Regulation, to remove the cargo residues from the ship to quantities specified in Regulation 5A of this Annex as applicable. The prewash procedure used shall be approved by the Administration and based on standards developed by the Organization and the resulting tank washings shall be discharged to a reception facility at the port of unloading.

(b) The requirements of sub-paragraph (a) of this paragraph do not apply when all the following conditions are satisfied:

(i) the Category C substance unloaded is identified in the standards developed by the Organization as resulting in

a residue quantity not exceeding the maximum quantity which may be discharged into the sea outside Special Areas under Regulation 5(3) of this Annex, and the residues are retained on board for subsequent discharge into the sea outside the Special Area in compliance with Regulation 5(3) of this Annex; and

(ii) the unloading is carried out in accordance with the pumping conditions for the tank approved by the Administration and based on standards developed by the Organization as referred to under Regulation 5A(5) of this Annex, or failing to comply with the approved pumping conditions, alternative measures are taken to the satisfaction of the surveyor referred to in paragraph (l)(a) of this Regulation, to remove the cargo residues from the ship to quantities specified in Regulation SA of this Annex as applicable.

(c) At the request of the ship's master, the Government of the receiving party may exempt the ship from the requirements of sub-paragraph (a) of this paragraph, where it is satisfied that:

(i) the tank unloaded is to be reloaded with the same substance or another substance compatible with the previous one and that the tank will not be washed or ballasted prior to loading; or

(ii) the tank unloaded is neither washed nor ballasted at sea and the tank is prewashed in accordance with a procedure approved by the Administration and based on standards developed by the Organization and resulting tank washings are discharged to a reception facility at another port, provided that it has been confirmed in writing that a reception facility at that port is available and adequate for such a purpose; or

(iii) the cargo residues will be removed by a ventilation procedure approved by the Administration and based on standards developed by the Organization.

Category D substances in all areas

(8) With respect to Category D substances, a tank which has been unloaded shall either be washed and the resulting tank washings shall be discharged to a reception facility, or the remaining residues in the tank shall be diluted and discharged into the sea in accordance with Regulation 5(4) of this Annex.

Discharge from a slop tank

(9) Any residues retained on board in a slop tank, including those from cargo pump room bilges, which contain a Category A substance, or within a special area either a Category A or a Category B substance, shall be discharged to a reception facility in accordance with the provisions of Regulation 5(1), (7) or (8) of this Annex, whichever is applicable."

Regulation 9

Cargo Record Book

The existing text of sub-paragraph (2)(i) to (ix) is replaced by the following:

- "(i) loading of cargo;
- (ii) internal transfer of cargo;
- (iii) unloading of cargo;
- (iv) cleaning of cargo tanks;
- (v) ballasting of cargo tanks;
- (vi) discharge of ballast from cargo tanks;
- (vii) disposal of residues to reception facilities;
- (viii) discharge into the sea or removal by ventilation, in accordance with Regulation 5 of this Annex."

In the existing text of paragraph (3), reference to "Article 7" is replaced by "Article 8".

In the second sentence of the existing text of paragraph (5), the words "when the ship is manned" are deleted.

In the third sentence of the existing text of paragraph (5), "(1973)" is deleted and the words "or a Certificate referred to in Regulation I2A of this Annex" are inserted.

In the second sentence of the existing text of paragraph (6), the word "two" is replaced by the word "three".

The existing texts of Regulations 10 to 12 is replaced by the following:

"Regulation 10

Surveys

(1) Ships carrying noxious liquid substances in bulk shall be subject to the surveys specified below:

(a) An initial survey before the ship is put in service or before the Certificate required under Regulation 11 of this Annex is issued for the first time, and which shall include a complete survey of its structure, equipment, systems, fittings, arrangements and material in so far as the ship is covered by this Annex. This survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of this Annex.

(b) Periodical surveys at intervals specified by the Administration, but not exceeding five years, and which shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the requirements of this Annex.

(c) . A minimum of one intermediate survey during the period of validity of the Certificate and which shall be such as to ensure that the equipment and associated pump and piping systems fully comply with the applicable requirements of this Annex and are in good working order. In cases where only one such intermediate survey is carried out in anyone Certificate validity period, it shall be held not before six months prior to, nor later than six months after the half-way date of the Certificate's period of validity. Such intermediate surveys shall be endorsed on the Certificate issued under Regulation 11 of this Annex.

(d) An annual survey within 3 months before or after the day and the month of the date of issue of the Certificate and which shall include a general examination to ensure that the structure, fittings, arrangements and materials remain in all respects satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the Certificate issued under Regulation 11 of this Annex.

(2) (a) Surveys of ships as regards the enforcement of the provisions of this Annex shall be carried out by officers of the Administration. The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(b) An Administration nominating surveyors or recognizing organizations to conduct surveys and inspections as set forth in sub-paragraph (a) of this paragraph, shall as a minimum empower any nominated surveyor or recognized organization to:

(i) require repairs to a ship; and

(ii) carry out surveys and inspections if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties to the present Convention for the information of their officers.

(c) When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the Certificate, or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the Certificate should be withdrawn and the Administration shall be notified immediately; and if the ship is in a port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor, or organization any necessary assistance to carry out their obligations under this Regulation. When applicable, the Government of the port State concerned shall take such steps as will ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the nearest appropriate repair yard available without presenting an unreasonable threat of harm to the marine environment.

(d) In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and inspection and shall undertake to ensure the necessary arrangements to satisfy this obligation.

(3) (a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(b) After any survey of the ship under paragraph (1) of this Regulation has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fittings.

(c) Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency or completeness of its equipment covered by this Annex, the master or owner of the ship shall report at the earliest opportunity to the Administration, the recognized organization or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph (1) of this Regulation is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such report has been made.

Regulation 11

Issue of Certificate

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued, after survey in accordance with the provisions of Regulation 10 of this Annex, to any ship carrying noxious liquid substances in bulk and which is engaged in voyages to ports or terminals under the jurisdiction of other Parties to the Convention.

(2) Such Certificate shall be issued either by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the Certificate.

(3) (a) The Government of a Party to the Convention 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 Pollution Prevention Certificate for the Carriage of Noxious Liquid substances in Bulk 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 it shall have the same force and receive the same recognition as the Certificate issued under paragraph (1) of this Regulation.

(d) No International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

(4) The International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be drawn up in an official language of the issuing country in the 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 these languages.

Regulation 12

Duration of Certificate

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue.

(2) A Certificate shall cease to be valid if significant alterations have taken place in the construction, equipment, systems, fittings, arrangements or material required without the sanction of the Administration, except the direct replacement of such equipment or fittings, or if intermediate or annual surveys as specified by the Administration under Regulation 10(l)(c) or (d) of this Annex are not carried out.

(3) A Certificate issued to a ship shall also cease to be valid upon transfer of the ship to the flag of another State. A new Certificate shall be issued only when the Government issuing the new Certificate is fully satisfied that the ship is in full compliance with the requirements of Regulation 10(3)(a) and (b) of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall transmit as soon as possible to the Administration a copy of the Certificate carried by the ship before the transfer and, if available, a copy of the relevant survey report."

The following new Regulation 12A is added to the existing text:

"Regulation 12A

Survey and Certification of Chemical Tankers

Notwithstanding the provisions of Regulations 10, 11 and 12 of this Annex, chemical tankers which have been surveyed and certified by States Parties to the present Convention in accordance with the provisions of the International Bulk Chemical Code or the Bulk Chemical Code, as applicable, shall be deemed to have complied with the provisions of the said Regulations, and the Certificate issued under that Code shall have the same force and receive the same recognition as the Certificate issued under Regulation 11 of this Annex."

Regulation 13

Requirements for Minimizing Accidental Pollution

The existing text of Regulation 13 is replaced by the following:

"(1) The design, construction, equipment and operation of ships carrying noxious liquid substances of Category A, B or C in bulk, shall be such as to minimize the uncontrolled discharge into the sea of such substances.

(2) Chemical tankers constructed on or after 1 July 1986 shall comply with the requirements of the International Bulk Chemical Code.

(3) Chemical tankers constructed before 1 July 1986 shall comply with the following requirements:

(a) The following chemical tankers shall comply with the requirements of the Bulk Chemical Code as applicable to ships referred to in 1.7.2 of that Code:

(i) ships for which the building contract is placed on or after 2 November 1973 and which are engaged on voyages to ports or terminals under the jurisdiction of other States Parties to the Convention; and

(ii) ships constructed on or after 1 July 1983 which are engaged solely on voyages between ports or terminals within the State the flag of which the ship is entitled to fly;

(b) The following chemical tankers shall comply with the requirements of the Bulk Chemical Code as applicable to ships referred to in 1.7.3 of that Code:

(i) ships for which the building contract is placed before 2 November 1973 and which are engaged on voyages to ports or terminals under the jurisdiction of other States Parties to the Convention; and

(ii) ships constructed before 1 July 1983 which are engaged on voyages between ports or terminals within the State the flag of which the ship is entitled to fly, except that for ships of less than 1,600 tons gross tonnage compliance with the Code in respect of construction and equipment shall take effect not later than 1 July 1994.

(4) In respect of ships other than chemical tankers carrying noxious liquid substances of Category A, B or C in bulk, the Administration shall establish appropriate measures based on the Guidelines developed by the Organization in order to ensure that the provisions of paragraph (1) of this Regulation are complied with."

The following new Regulation 14 is added to the existing text:

"Regulation 14

Carriage and Discharge of Oil-like Substances

Notwithstanding the provisions of other Regulations of this Annex, noxious liquid substances designated in Appendix II of this Annex as falling under Category C or D and identified by the Organization as oil-like substances under the criteria developed by the Organization, may be carried on an oil tanker as defined in Annex I of the Convention and discharged in accordance with the provisions of Annex I of the present Convention, provided that all of the following conditions are complied, with :

(a) the ship complies with the provisions of Annex I of the present Convention as applicable to product carriers as defined in that Annex;

(b) 'the ship carries an International Oil Pollution Prevention Certificate and its Supplement B and the Certificate is endorsed to indicate that the ship may carry oil-like substances in conformity with this Regulation and the endorsement includes a list of oil-like substances the ship is allowed to carry;

(c) in the case of Category C substances the ship complies with the ship type 3 damage stability requirements of:

(i) the International Bulk Chemical Code in the case of a ship constructed on or after 1 July 1986; or

(ii) the Bulk Chemical Code, as applicable under Regulation 13 of this Annex, in the case of a ship constructed before 1 July 1986; and

(d) the oil content meter in the oil discharge monitoring and control system of the ship is approved by the Administration for use in monitoring the oil-like substances to be carried."

APPENDIX II

The old list of noxious liquid substances carried in bulk was not included in this Res.MEPC.16(22) due to the reason of outdated information.

APPENDIX III

The old list of other liquid substances was not included in this Res.MEPC.16(22) due to the reason of outdated information.

APPENDIX IV

Each completed operation shall be signed for and dated by the officer or officers in charge and, if applicable, by a surveyor authorized by the competent authority of the State in which the ship is unloading. Each completed page shall be countersigned by the master of the ship.

Entries in the Cargo Record Book are required only for operations involving Categories A, B, C and D substances.

LIST OF ITEMS TO BE RECORDED

Entries are required only for operations involving Categories A, B, C and D substances.

(A) LOADING OF CARGO

1. Place of loading
2. Identify tank(s), name of substance(s) and category(ies).

(B) INTERNAL TRANSFER OF CARGO

3. Name and category of cargo(es) transferred.
4. Identity of tanks.
 - .1 From:
 - .2 To:
5. Was (were) tank(s) in 4.1 emptied?
6. If not, quantity remaining in tank(s).

(C) UNLOADING OF CARGO

7. Place of unloading
8. Identity of tank(s) unloaded.
9. Was (were) tank(s) emptied?
 - .1 If yes, confirm that the procedure for emptying and stripping has been performed in accordance with the ship's Procedures and Arrangements Manual (i.e., list, trim, stripping temperature).
 - .2 If not, quantity remaining in tank(s).
10. Does the ship's Procedures and Arrangements Manual require a prewash with subsequent disposal to reception facilities?
11. Failure of pumping and/or stripping system.
 - .1 Time and nature of failure.
 - .2 Reasons for failure.
 - .3 Time when system has been made operational.

(D) MANDATORY PREWASH IN ACCORDANCE WITH THE SHIP'S PROCEDURES AND ARRANGEMENTS MANUAL

12. Identify tank(s), substance(s) and category(ies).
13. Washing method:
 - .1 Number of washing machines per tank.
 - .2 Duration of wash/washing cycles.
 - .3 Hot/cold wash.
14. Prewash slops transferred to:

.1 Reception facility in unloading port (identify port).

.2 Reception facility otherwise (identify port).

(E) CLEANING OF CARGO TANKS EXCEPT MANDATORY PREWASH (OTHER PREWASH OPERATIONS, FINAL WASH, VENTILATION ETC.

15. State time, identify tank(s), substance(s) and category(ies) and state:

.1 Washing procedure used.

.2 Cleaning agent(s) (identify agent(s) and quantities .

.3 Dilution of cargo residues with water, state how much water used (only Category D substances).

.4 Ventilation procedure used (state number of fans used, duration of ventilation).

16. Tank washings transferred:

.1 Into the sea.

.2 To reception facility (identify port).

.3 To slops collecting tank (identify tank).

(F) DISCHARGE INTO THE SEA OF TANK WASHINGS

17. Identify tank(s).

.1 Were tank washings discharged during cleaning of tank(s), if so at what rate?

.2 Were tank washing(s) discharged from a slops collecting tank. If so, state quantity and rate of discharge.

18. Time commenced and stopped pumping.

19. Ship's speed during discharge.

(G) BALLASTING OF CARGO TANKS

20. Identity of tank(s) ballasted.

21. Time at start of ballasting.

(H) DISCHARGE OF BALLAST WATER FROM CARGO TANKS.

22. Identity of tank(s).

23. Discharge of ballast:

.1 Into the sea.

.2 To reception facilities (identify port).

24. Time commenced and stopped ballast discharge.

25. Ship's speed during discharge.

(I) ACCIDENTAL OR OTHER EXCEPTIONAL DISCHARGE

26. Time of occurrence.

27. Approximate quantity, substance(s) and category(ies).

28. Circumstances of discharge or escape and general remarks.

(J) CONTROL BY AUTHORIZED SURVEYORS

29. Identify port.
30. Identify tank(s), substance(s), category(ies) discharged ashore.
31. Have tank(s), pump(s), and piping system(s) been emptied?
32. Has a prewash in accordance with the ships's Procedures and Arrangements Manual been carried out?
33. Have tank washings resulting from the prewash been discharged ashore and is the tank empty?
34. An exemption has been granted from mandatory prewash.
35. Reasons for exemption.
36. Name and signature of authorized surveyor.
37. Organization, company, government agency for which surveyor works.

(K) ADDITIONAL OPERATIONAL PROCEDURES AND REMARKS

NAME OF SHIP:

DISTINCTIVE NUMBER OR LETTERS:

CARGO/BALLAST OPERATIONS

Date	Code (letter)	Item (number)	Record of operations/signature of officer in charge name of and signature of authorized surveyor
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Signature of Master

APPENDIX V

FORM OF CERTIFICATE

The existing form of the Certificate is replaced by the following:

"INTERNATIONAL POLLUTION PREVENTION CERTIFICATE FOR THE CARRIAGE OF NOXIOUS LIQUID SUBSTANCES IN BULK

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto as amended (hereinafter referred to as "the Convention") under the authority of the Government of

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

by(full official designation of the competent person or organization authorized under the provisions of the Convention)

Name of ship	Distinctive number or letters	Port of registry	Gross tonnage
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Annual survey:

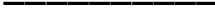
Signed: (signature of duly authorized official)....

Place:.....

Date :.....

(seal or stamp of the Authority, as appropriate)

* Delete as appropriate



CONFIDENTIAL