

RESOLUTION MEPC.34(27)

adopted on 17 March 1989

ADOPTION OF AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973 (Appendices II and III of Annex II of MARPOL 73/78)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the function of the Committee conferred upon it by International Conventions for the Prevention and Control of Marine Pollution,

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 International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1978 Protocol"), which together specify the amendment procedure of the 1978 Protocol 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),

BEING DESIROUS of keeping appendices II and III of Annex II of MARPOL 73/78 up-to-date and compatible with the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code) and the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code),

NOTING FURTHER resolution MEPC.34(27) by which the Committee adopted ,amendments to the IBC Code,

RECOGNIZING the need to bring the corresponding amendments to appendices II and III of Annex II of MARPOL 73/78 into force on the date on which the amendments to the IBC Code enter into force;

HAVING CONSIDERED, at its twenty-seventh session, the amendments to appendices II and III of Annex II of MARPOL 73/78 proposed by the Sub-Committee on Bulk Chemicals at its eighteenth session 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 appendices II and III of 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 the date on which the conditions for the entry into force of the amendments to the IBC Code adopted by the Committee by resolution 34(27) are met, unless prior to that date, not less than one third of the Parties or the Parties, the combined merchant fleets of which constitute not less than fifty per cent 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 six months after 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. REQUESTS FURTHER 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.

The Annex was not included in this Res.MEPC.20(22) due to outdated information.
