

MARPOL

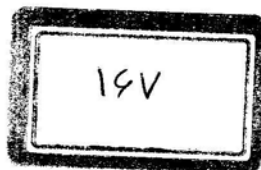
CONSOLIDATED EDITION 2006

Articles, Protocols, Annexes, Unified Interpretations
of the International Convention for the Prevention
of Pollution from Ships, 1973, as modified by
the Protocol of 1978 relating thereto



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Introduction

The International Convention for the Prevention of Pollution from Ships, 1973, was adopted by the International Conference on Marine Pollution convened by IMO from 8 October to 2 November 1973. Protocol I (Provisions concerning Reports on Incidents involving Harmful Substances) and Protocol II (Arbitration) were adopted at the same Conference. This Convention was subsequently modified by the Protocol of 1978 relating thereto, which was adopted by the International Conference on Tanker Safety and Pollution Prevention (TSPP Conference) convened by IMO from 6 to 17 February 1978. The Convention, as modified by the 1978 Protocol, is known as the “International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto”, or, in short form, “MARPOL 73/78”. Regulations covering the various sources of ship-generated pollution are contained in the five Annexes of the Convention. The Convention has also been modified by the Protocol of 1997, whereby a sixth Annex was added.

The Marine Environment Protection Committee (MEPC), since its inception in 1974, has reviewed various provisions of the MARPOL Convention that have been found to require clarification or have given rise to difficulties in implementation. In order to resolve such ambiguities and difficulties in a uniform manner, the MEPC agreed that it was desirable to develop unified interpretations. In certain cases, the MEPC recognized that there was a need to amend existing regulations or to introduce new regulations with the aim of reducing even further operational and accidental pollution from ships. These activities by the MEPC have resulted in a number of unified interpretations and amendments to the Convention.

The purpose of this publication is to provide an easy reference to the up-to-date provisions and unified interpretations of the articles, protocols and Annexes of the MARPOL Convention, including the incorporation of all of the amendments that have been adopted by the MEPC and have entered into force, up to and including the 2005 amendments (as adopted by resolution MEPC.132(53)). It should be noted, however, that the Secretariat has no intention of changing the authentic texts editorially or otherwise. For legal purposes, the authentic texts of the provisions of the MARPOL Convention should always be consulted.

In addition, amendments to Annex I and to Annex IV adopted on 24 March 2006 by resolutions MEPC.141(54) and MEPC.143(54), respectively, have been included in the Additional Information section. The date for tacit acceptance of these amendments is 1 February 2007, and if they are accepted on that date they will enter into force on 1 August 2007. As of the date of publication of this edition, the criteria for entry into force of these

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amendments have not been met. It was felt, however, that the amendments might enter into force before the next revision of the present consolidated edition. Therefore, the text of resolution MEPC.141(54) is reproduced as item 6 of the Additional Information section and that of resolution MEPC.143(54) is item 8 of the same section.

For consistency in providing information, guidelines which are not made mandatory by the applicable Annex, and which are contained in another IMO publication, are omitted from the 2006 Consolidated Edition.

Protocol I – Provisions concerning Reports on Incidents Involving Harmful Substances

This Protocol was adopted on 2 November 1973 and subsequently amended by:

- 1985 amendments (resolution MEPC.21(22)) by which the Protocol was replaced by a revised text: entered into force on 6 April 1987; and
- 1996 amendments (resolution MEPC.68(38)) on amendments to article II(1): entered into force on 1 January 1998.

Annex I – Regulations for the Prevention of Pollution by Oil

Annex I entered into force on 2 October 1983 and, as between the Parties to MARPOL 73/78, supersedes the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended in 1962 and 1969, which was then in force. A number of amendments to Annex I have been adopted by the MEPC and have entered into force as summarized below:

- 1984 amendments (resolution MEPC.14(20)) on control of discharge of oil; retention of oil on board; pumping, piping and discharge arrangements of oil tankers; subdivision and stability: entered into force on 7 January 1986;
- 1987 amendments (resolution MEPC.29(25)) on designation of the Gulf of Aden as a special area: entered into force on 1 April 1989;
- 1990 amendments (resolution MEPC.39(29)) on the introduction of the harmonized system of survey and certification: entered into force on 3 February 2000;
- 1990 amendments (resolution MEPC.42(30)) on designation of the Antarctic area as a special area: entered into force on 17 March 1992;

- 1991 amendments (resolution MEPC.47(31)) on new regulation 26, Shipboard Oil Pollution Emergency Plan, and other amendments to Annex I: entered into force on 4 April 1993;
- 1992 amendments (resolution MEPC.51(32)) on discharge criteria of Annex I: entered into force on 6 July 1993;
- 1992 amendments (resolution MEPC.52(32)) on new regulations 13F and 13G and related amendments to Annex I: entered into force on 6 July 1993;
- 1994 amendments (resolution 1 adopted on 2 November 1994 by the Conference of Parties to MARPOL 73/78) on port State control on operational requirements: entered into force on 3 March 1996;
- 1997 amendments (resolution MEPC.75(40)) on designation of North West European waters as a special area and new regulation 25A; entered into force on 1 February 1999;
- 1999 amendments (resolution MEPC.78(43)) on amendments to regulations 13G and 26 and the IOPP Certificate: entered into force on 1 January 2001;
- 2001 amendments (resolution MEPC.95(46)) on amendments to regulation 13G: entered into force on 1 September 2002;
- 2003 amendments (resolution MEPC.111(50)) on amendments to regulation 13G, new regulation 13H and related amendments to Annex I: entered into force on 5 April 2005;
- 2004 amendments (resolution MEPC.117(52)) on the revised Annex I: will enter into force on 1 January 2007; and
- 2006 amendments (resolution MEPC.141(54)) on amendments to regulations 1 and 21, addition of regulation 12A and related amendments to Annex I: if they are accepted on 1 February 2007, they will enter into force on 1 August 2007.

Annex II – Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk

To facilitate implementation of the Annex, the original text underwent amendments in 1985, by resolution MEPC.16(22), in respect of pumping, piping and control requirements. At its twenty-second session, the MEPC also decided that, in accordance with article II of the 1978 Protocol, “Parties shall be bound by the provisions of Annex II of MARPOL 73/78 as amended from 6 April 1987” (resolution MEPC.17(22)). Subsequent amendments have been adopted by the MEPC and have entered into force as summarized below:

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- 1989 amendments (resolution MEPC.34(27)), which updated appendices II and III to make them compatible with chapters 17/VI and 18/VII of the IBC Code and BCH Code, respectively: entered into force on 13 October 1990;
- 1990 amendments (resolution MEPC.39(29)) on the introduction of the harmonized system of survey and certification: entered into force on 3 February 2000;
- 1992 amendments (resolution MEPC.57(33)) on designation of the Antarctic area as a special area and lists of liquid substances in appendices to Annex II: entered into force on 1 July 1994;
- 1994 amendments (resolution 1 adopted on 2 November 1994 by the Conference of Parties to MARPOL 73/78) on port State control on operational requirements: entered into force on 3 March 1996;
- 1999 amendments (resolution MEPC.78(43)) on addition of new regulation 16: entered into force on 1 January 2001; and
- 2004 amendments (resolution MEPC.118(52)) on the revised Annex II: will enter into force on 1 January 2007.

Annex III – Regulations for the Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form

Annex III entered into force on 1 July 1992. However, long before this entry into force date, the MEPC, with the concurrence of the Maritime Safety Committee (MSC), agreed that the Annex should be implemented through the IMDG Code. The IMDG Code had amendments covering marine pollution prepared by the MSC (Amendment 25-89) and these amendments were implemented from 1 January 1991. Subsequent amendments have been adopted by the MEPC and have entered into force as summarized below:

- 1992 amendments (resolution MEPC.58(33)), which totally revised Annex III as a clarification of the requirements in the original version of Annex III rather than a change of substance, and incorporated the reference to the IMDG Code: entered into force on 28 February 1994;
- 1994 amendments (resolution 2 adopted on 2 November 1994 by the Conference of Parties to MARPOL 73/78) on port State control on operational requirements: entered into force on 3 March 1996; and
- 2000 amendments (MEPC.84(44)), deleting a clause relating to tainting of seafood: entered into force on 1 January 2002.

Annex IV – Regulations for the Prevention of Pollution by Sewage from Ships

Annex IV entered into force on 27 September 2003. Subsequent amendments have been adopted by the MEPC and have entered into force as summarized below:

- 2004 amendments (resolution MEPC.115(51)) on the revised Annex IV: entered into force on 1 August 2005; and
- 2006 amendments (resolution MEPC.143(54)) on new regulation 13 concerning port State control on operational requirements: if they are accepted on 1 February 2007 they will enter into force on 1 August 2007.

Annex V – Regulations for the Prevention of Pollution by Garbage from Ships

Annex V entered into force on 31 December 1988. Subsequent amendments have been adopted by the MEPC and have entered into force as summarized below:

- 1989 amendments (resolution MEPC.36(28)) on designation of the North Sea as a special area and amendment of regulation 6, Exceptions: entered into force on 18 February 1991;
- 1990 amendments (resolution MEPC.42(30)) on designation of the Antarctic area as a special area: entered into force on 17 March 1992;
- 1991 amendments (resolution MEPC.48(31)) on designation of the Wider Caribbean area as a special area: entered into force on 4 April 1993;
- 1994 amendments (resolution 3 adopted on 2 November 1994 by the Conference of Parties to MARPOL 73/78) on port State control on operational requirements: entered into force on 3 March 1996;
- 1995 amendments (resolution MEPC.65(37)) on amendment of regulation 2 and the addition of a new regulation 9 of Annex V: entered into force on 1 July 1997;
- 2000 amendments (resolution MEPC.89(45)) on amendments to regulations 1, 3, 5 and 9 and to the Record of Garbage Discharge: entered into force on 1 March 2002;
- 2004 amendments (resolution MEPC.116(51)) on amendments to the appendix to Annex V: entered into force on 1 August 2005; and

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- 2004 amendments (resolution MEPC.116(51)) concerning the appendix: entered into force on 1 August 2005.

Annex VI – Regulations for the Prevention of Air Pollution from Ships

Annex VI is appended to the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, which was adopted by the International Conference of Parties to the MARPOL Convention in September 1997. Annex VI entered into force on 19 May 2005. Subsequent amendments have been adopted by the MEPC as summarized below:

- 2005 amendments (resolution MEPC.132(53)) on introducing the Harmonized System of Survey and Certification to the Annex and on designation of the North Sea as a new SO_x Emission Control Area (SECA): will enter into force on 22 November 2006.

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