

ANNEX 4

RESOLUTION MEPC.100(48)

Adopted on 11 October 2002

**REVISION OF THE LIST OF SUBSTANCES ANNEXED TO THE PROTOCOL
RELATING TO THE INTERVENTION ON THE HIGH SEAS IN CASES OF
POLLUTION BY SUBSTANCES OTHER THAN OIL, 1973**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

NOTING resolution 26 of the International Conference on Marine Pollution, 1973 which requested the appropriate body, designated by the Organization, to establish the list of substances to be annexed to the Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances Other than Oil, 1973 (the 1973 Intervention Protocol),

NOTING FURTHER resolution A.296 (VIII) by which the Assembly designated the Marine Environment Protection Committee (the Committee) as the appropriate body referred to in articles I and III of the 1973 Intervention Protocol,

RECALLING resolutions MEPC.49(31) and MEPC.72(38) by which the Committee adopted on 4 July 1991 and on 10 July 1996 respectively an amended list to replace the original list annexed to the 1973 Intervention Protocol,

RECALLING FURTHER that the Committee, at its forty-seventh session, had agreed with the restructuring of the Annex as the preferable means of identifying products subject to the 1973 Intervention Protocol in order to keep the list of substances current with changes in other relevant instruments,

HAVING CONSIDERED the proposed amendments to the Annex to the 1973 Intervention Protocol, which were approved by the forty-seventh session of the Committee and circulated in accordance with paragraph 2 of article III of the 1973 Intervention Protocol,

1. ADOPTS, by the required two-thirds majority of the Parties to the 1973 Intervention Protocol present and voting, the amended list of substances annexed to the Protocol, the text of which is set out at Annex to the present resolution;
2. REQUESTS the Secretary-General, in accordance with paragraph 5 of article III of the 1973 Intervention Protocol, to communicate the amendments to all Parties to the Protocol, for acceptance, and to inform them that the amendments shall be deemed to have been accepted at the end of the period of six months after they have been communicated, unless within that period an objection to these amendments has been communicated to the Organization by not less than one third of the Parties to the Protocol;
3. INVITES the Parties to note that, in accordance with paragraph 7 of article III of the 1973 Intervention Protocol, the amendments shall enter into force three months after they have been deemed to have been accepted in accordance with paragraph 2 above; and
4. REQUESTS FURTHER the Secretary-General to annex the amended list to the 1973 Intervention Protocol in accordance with paragraph 2(a) of article I of the Protocol, once the amendments have entered into force, to replace the existing list of substances.

ANNEX

**LIST OF SUBSTANCES REFERRED TO IN PARAGRAPH 2(a) OF ARTICLE I
OF THE 1973 INTERVENTION PROTOCOL**

Any of the following products are subject to the 1973 Intervention Protocol if they are either carried on board a ship as cargo or are residues of such products previously carried:

- 1 **Oils**, as defined in Annex I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), as amended, when carried in bulk, including those listed in Appendix I with the exception of crude oil, fuel oil, diesel oil and lubricating oil which are covered by the 1969 Intervention Convention;
- 2 **Noxious Liquid Substances**, as defined in Annex II to MARPOL 73/78, as amended, when carried in bulk, and identified:
 - .1 as Pollution Category A or B, in:
 - .1 Chapter 17 of the International Bulk Chemical Code (IBC Code); or
 - .2 Lists 1 to 4 of MEPC.2/Circulars, issued annually in December; or
 - .2 in the composite list of GESAMP Hazard Profiles, issued periodically as BLG Circulars, with either:
 - .1 a '2' in column B and 'XX' in column E; or
 - .2 'XXX' in column E;
- 3 **Harmful substances**, in packaged form, as defined in Annex III to MARPOL 73/78, as amended, and which have been identified as Severe Marine Pollutants (PP) in the International Maritime Dangerous Goods Code (IMDG Code) or which meet the criteria for such as defined in the IMDG Code;
- 4 **Radioactive material**, transported in type B or type C packages, or as fissile material, or under special arrangements, as covered by the provisions of class 7 of the IMDG Code; and
- 5 **Liquefied gases**, identified in chapter 19 of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, 1983 (IGC Code), as amended, when carried in bulk, and the products for which preliminary suitable conditions for the carriage have been prescribed by the Administration and port administrations involved in accordance with paragraph 1.1.6 of the IGC Code.
