

ANNEX 3

RESOLUTION MEPC.95(46)

Adopted on 27 April 2001

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

**(Amendments to regulation 13G of Annex I to MARPOL 73/78 and to the
Supplement to the IOPP Certificate)**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (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 confer 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 the proposed amendments to regulation 13G of Annex I to MARPOL 73/78, which were approved by the forty-fifth session of the Committee and circulated in accordance with article 16 (2) (a) of the 1973 Convention,

HAVING ALSO CONSIDERED the proposed amendments to the Supplement to the IOPP Certificate which are consequential amendments to the proposed amendments to regulation 13G of Annex I to MARPOL 73/78,

1. ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, the amendments to regulation 13G of Annex I to MARPOL 73/78 and to the Supplement to the IOPP Certificate, the text of which is set out at 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 1 March 2002, unless prior to that date, not less than one-third of the Parties or Parties the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;
3. INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the said amendments shall enter into force on 1 September 2002 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 MARPOL 73/78 certified copies of the present resolution and the text of the amendments contained in the Annex; and

5. REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL 73/78 copies of the present resolution and its annex.

ANNEX

AMENDMENTS TO ANNEX I TO MARPOL 73/78

- 1 *The existing text of regulation 13G is replaced by the following:*

"Regulation 13G**Prevention of oil pollution in the event of collision or stranding -
Measures for existing tankers**

- (1) This regulation shall:
- (a) apply to oil tankers of 5,000 tons deadweight and above, which are contracted, the keels of which are laid, or which are delivered before the dates specified in regulation 13F(1) of this Annex; and
 - (b) not apply to oil tankers complying with regulation 13F of this Annex, which are contracted, the keels of which are laid, or are delivered before the dates specified in regulation 13F(1) of this Annex; and
 - (c) not apply to oil tankers covered by subparagraph (a) above which comply with regulation 13F(3)(a) and (b) or 13F(4) or 13F(5) of this Annex, except that the requirement for minimum distances between the cargo tank boundaries and the ship side and bottom plating need not be met in all respects. In that event, the side protection distances shall not be less than those specified in the International Bulk Chemical Code for type 2 cargo tank location and the bottom protection distances shall comply with regulation 13E(4)(b) of this Annex.
- (2) For the purpose of this regulation:
- (a) "Heavy diesel oil" means diesel oil other than those distillates of which more than 50 per cent by volume distils at a temperature not exceeding 340°C when tested by the method acceptable to the Organization¹.
 - (b) "Fuel oil" means heavy distillates or residues from crude oil or blends of such materials intended for use as a fuel for the production of heat or power of a quality equivalent to the specification acceptable to the Organization².
- (3) For the purpose of this regulation, oil tankers are divided into the following categories:
- (a) "Category 1 oil tanker" means an oil tanker of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, and of 30,000

¹ Refer to the American Society for Testing and Material's Standard Test Method (Designation D86).

² Refer to the American Society for Testing and Material's Specification for Number Four Fuel Oil (Designation D396) or heavier.

tons deadweight and above carrying oil other than the above, which does not comply with the requirements for new oil tankers as defined in regulation 1(26) of this Annex;

- (b) “Category 2 oil tanker” means an oil tanker of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, and of 30,000 tons deadweight and above carrying oil other than the above, which complies with the requirements for new oil tankers as defined in regulation 1(26) of this Annex;
- (c) “Category 3 oil tanker” means an oil tanker of 5,000 tons deadweight and above but less than that specified in subparagraph (a) or (b) of this paragraph.

(4) An oil tanker to which this regulation applies shall comply with the requirements of regulation 13F of this Annex not later than the anniversary of the date of delivery of the ship in the year specified in the following table:

Category of oil tanker	Year
Category 1	2003 for ships delivered in 1973 or earlier 2004 for ships delivered in 1974 and 1975 2005* for ships delivered in 1976 and 1977 2006* for ships delivered in 1978, 1979 and 1980 2007* for ships delivered in 1981 or later
Category 2	2003 for ships delivered in 1973 or earlier 2004 for ships delivered in 1974 and 1975 2005 for ships delivered in 1976 and 1977 2006 for ships delivered in 1978 and 1979 2007 for ships delivered in 1980 and 1981 2008 for ships delivered in 1982 2009 for ships delivered in 1983 2010* for ships delivered in 1984 2011* for ships delivered in 1985 2012* for ships delivered in 1986 2013* for ships delivered in 1987 2014* for ships delivered in 1988 2015* for ships delivered in 1989 or later
Category 3	2003 for ships delivered in 1973 or earlier 2004 for ships delivered in 1974 and 1975 2005 for ships delivered in 1976 and 1977 2006 for ships delivered in 1978 and 1979 2007 for ships delivered in 1980 and 1981 2008 for ships delivered in 1982 2009 for ships delivered in 1983 2010 for ships delivered in 1984 2011 for ships delivered in 1985 2012 for ships delivered in 1986 2013 for ships delivered in 1987 2014 for ships delivered in 1988 2015 for ships delivered in 1989 or later

* Subject to compliance with the provisions of paragraph (7).

- (5) Notwithstanding the provisions of paragraph (4) of this regulation:
- (a) in the case of a Category 2 or 3 oil tanker fitted with only double bottoms or double sides not used for the carriage of oil and extending to the entire cargo tank length or double hull spaces which are not used for the carriage of oil and extend to the entire cargo tank length, but does not fulfil conditions for being exempted from the provisions of paragraph (1)(c) of this regulation, the Administration may allow continued operation of such a ship beyond the date specified in paragraph (4) of this regulation, provided that:
 - (i) the ship was in service on 1 July 2001;
 - (ii) the Administration is satisfied by verification of the official records that the ship complied with the conditions specified above;
 - (iii) the conditions of the ship specified above remain unchanged; and
 - (iv) such continued operation does not go beyond the date on which the ship reaches 25 years after the date of its delivery;
 - (b) in the case of a Category 2 or 3 oil tanker other than that referred to in sub-paragraph (a) of this paragraph which complies with the provisions of paragraph (6)(a) or (b) of this regulation, the Administration may allow continued operation of such a ship beyond the date specified in paragraph (4) of this regulation, provided that such continued operation shall not go beyond the anniversary of the date of delivery of the ship in 2017 or the date on which the ship reaches 25 years after the date of its delivery, whichever is the earlier date.
- (6) A Category 1 oil tanker of 25 years and over after the date of its delivery shall comply with either of the following provisions:
- (a) wing tanks or double bottom spaces, not used for the carriage of oil and meeting the width and height requirements of regulation 13E(4), cover at least 30% of L_t , for the full depth of the ship on each side or at least 30% of the projected bottom shell area within the length L_t , where L_t is as defined in regulation 13E(2); or
 - (b) the tanker operates with hydrostatically balanced loading, taking into account the guidelines developed by the Organization³.
- (7) The Administration may allow continued operation of a Category 1 oil tanker beyond the anniversary of the date of delivery of the ship in 2005, and of a Category 2 oil tanker beyond the anniversary of the date of delivery of the ship in 2010, subject to compliance with the Condition Assessment Scheme adopted by the Marine Environment Protection Committee by resolution MEPC.94(46), as may be amended, provided that such amendments shall be adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention relating to amendment procedures applicable to an appendix to an Annex.

³ Refer to the Guidelines for Approval of Alternative Structural or Operational Arrangements adopted by resolution MEPC.64(36).

- (8) (a) The Administration of a State which allows the application of paragraph (5) of this regulation, or allows, suspends, withdraws or declines the application of paragraph (7) of this regulation, to a ship entitled to fly its flag shall forthwith communicate to the Organization for circulation to the Parties to the present Convention particulars thereof, for their information and appropriate action, if any.
- (b) A Party to the present Convention shall be entitled to deny entry of oil tankers operating in accordance with the provisions of paragraph (5) of this regulation into the ports or offshore terminals under its jurisdiction. In such cases, that Party shall communicate to the Organization for circulation to the Parties to the present Convention particulars thereof for their information."

A MENDMENTS TO A PPENDIX II TO A NNEX I TO MA RPOL 73/78

A mendments to the Supplement to the IOPP Certificate (Form B)

2 *The existing paragraph 5.8.4 is replaced by the following:*

"5.8.4 The ship is subject to regulation 13G and:

- .1 is required to comply with regulation 13F not later than☐
- .2 is so arranged that the following tanks or spaces are not used for the carriage of oil☐
- .3 is provided with the operational manual approved on in accordance with resolution MEPC.64(36)☐
- .4 is allowed to continue operation in accordance with regulation 13G(5)(a)☐
- .5 is allowed to continue operation in accordance with regulation 13G(5)(b)☐
- .6 is allowed to continue operation in accordance with regulation 13G(7)☐
