

ANNEX 5

RESOLUTION MEPC.39(29)

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

(Introduction of the Harmonized System of Survey and Certification
to Annexes I and II of MARPOL 73/78)

adopted on 16 March 1990

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime
Organization concerning the functions of the Committee,

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 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),

RECALLING that the Tanker Safety and Pollution Prevention Conference,
1978, by resolution 10, recommended that IMO take the necessary action to
amend the International Convention for the Safety of Life at Sea, 1974
(the 1974 SOLAS Convention), the International Convention for the Prevention
of Pollution from Ships, 1973, as modified by the 1978 Protocol relating
thereto (MARPOL 73/78), and the International Convention on Load Lines, 1966
(the 1966 Load Line Convention) with a view to standardizing the periods of
validity of the certificates as well as the intervals of surveys required by
these Conventions,

NOTING FURTHER that the International Conference on Harmonized System
of Survey and Certification, 1988, had adopted the Protocol of 1988 relating
to the International Convention for the Safety of Life at Sea, 1974 (the
1988 SOLAS Protocol) and the Protocol of 1988 relating to the International
Convention on Load Lines, 1966 (the 1988 Load Line Protocol) which introduces,
inter alia, the harmonized system of survey and certification under the
1974 SOLAS Convention and the 1966 Load Line Convention, and that the
Conference recommended the Maritime Safety Committee and the Marine
Environment Protection Committee to take the necessary action:

- .1 to amend MARPOL 73/78, the IBC Code, the BCH Code and the IGC Code
in order to harmonize their survey and certification requirements
with those of the 1988 SOLAS Protocol and the 1988 Load Line
Protocol; and

- .2 to bring those amendments into force on the same date, or on a date as close as possible to the date on which the 1988 SOLAS Protocol and the 1988 Load Line Protocol enter into force.

HAVING CONSIDERED, at its twenty-ninth 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, the text of which is set out in the Annex to the present resolution;
2. 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;
3. DETERMINES, in accordance with article 16(2)(f)(ii) and (iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on the date six months after the conditions for the entry into force of both the 1988 SOLAS Protocol and the 1988 Load Line Protocol are met, provided that the date of acceptance is not before 1 August 1991, unless prior to that date, objections are communicated to the Organization as provided for in article 16(2)(f)(iii);
4. 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 the preceding paragraph;
5. REQUESTS that the Secretary-General inform all Parties when the conditions for the entry into force of both the 1988 SOLAS Protocol and the 1988 Load Line Protocol are met and, in conformity with article 16(8) of the Convention, when the amendments to the 1978 Protocol contained in the Annex to the present resolution will enter into force;
6. 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 and to inform them when the amendments will enter into force.

ANNEX

AMENDMENTS TO ANNEXES I AND II OF MARPOL 73/78

1 MARPOL 73/78, ANNEX I

Regulation 1

Definitions

New definition is added as follows:

"(31) "Anniversary date" means the day and the month of each year which will correspond to the date of expiry of the International Oil Pollution Prevention Certificate."

Regulation 4

Surveys and Inspections

The existing title is replaced by the following:

"Surveys"

The existing text is replaced by the following:

"(1) Every oil tanker of 150 tons gross tonnage and above, and every other ship of 400 tons gross tonnage and above 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 5 of this Annex is issued for the first time, 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) A renewal survey at intervals specified by the Administration, but not exceeding 5 years, except where regulation 8(2), 8(5), 8(6) or 8(7) of this Annex is applicable. The renewal survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with applicable requirements of this Annex.

- (c) An intermediate survey within 3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the Certificate which shall take the place of one of the annual surveys specified in paragraph (1)(d) of this regulation. The intermediate survey shall be such as to ensure that the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, crude oil washing systems, oily-water separating equipment and oil filtering systems, fully comply with the applicable requirements of this Annex and are in good working order. Such intermediate surveys shall be endorsed on the Certificate issued under regulation 5 or 6 of this Annex.
- (d) An annual survey within 3 months before or after each anniversary date of the Certificate, including a general inspection of the structure, equipment, systems, fittings, arrangements and material referred to in paragraph (1)(a) of this regulation to ensure that they have been maintained in accordance with paragraph (4) of this regulation and that they remain satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the Certificate issued under regulation 5 or 6 of this Annex.
- (e) An additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in paragraph (4) of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirements of this Annex.
- (2) The Administration shall establish appropriate measures for ships which are not subject to the provisions of paragraph (1) of this regulation in order to ensure that the applicable provisions of this Annex are complied with.
- (3) (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 as set forth in subparagraph (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, 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 Protocol 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 a 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 shall undertake to ensure the necessary arrangements to satisfy this obligation.
- (4) (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 5

Issue of Certificate

The existing heading is replaced by the following:

"Issue or Endorsement of Certificate"

The existing text is replaced by the following:

- "(1) An International Oil Pollution Prevention Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 4 of this Annex, to any oil tanker of 150 tons gross tonnage and above and any other ships of 400 tons gross tonnage and above which are engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention.
- (2) Such Certificate shall be issued or endorsed either by the Administration or by any persons or organization duly authorized by it. In every case the Administration assumes full responsibility for the Certificate.
- (3) Notwithstanding any other provisions of the amendments to this Annex adopted by the Marine Environment Protection Committee (MEPC) by resolution MEPC ...(..), any International Oil Pollution Prevention Certificate, which is current when these amendments enter into force, shall remain valid until it expires under the terms of this Annex prior to the amendments entering into force".

Regulation 6

Issue of Certificate by another Government

The existing heading is replaced by the following:

"Issue or Endorsement of a Certificate by another Government".

The existing text is replaced by the following:

- "(1) 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 Oil Pollution Prevention Certificate to the ship, and where appropriate, endorse or authorize the endorsement of that Certificate on the ship, in accordance with this Annex.
- (2) A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.
- (3) 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 regulation 5 of this Annex.
- (4) No International Oil Pollution Prevention Certificate shall be issued to a ship which is entitled to fly the flag of a State which is not a Party".

Regulation 7

Form of Certificate

The existing text is replaced by the following:

"The International Oil Pollution Prevention Certificate shall be drawn up in a form corresponding to the model given in appendix II to this Annex. If the language used is neither English nor French, the text shall include a translation into one of these languages".

Regulation 8

Duration of Certificate

The existing heading is replaced by the following:

"Duration and Validity of Certificate".

The existing text is replaced by the following:

- "(1) An International Oil Pollution Prevention Certificate shall be issued for a period specified by the Administration which shall not exceed 5 years.
- (2) (a) Notwithstanding the requirements of paragraph (1) of this regulation, when the renewal survey is completed within 3 months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.
- (b) When the renewal survey is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.
- (c) When the renewal survey is completed more than 3 months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of completion of the renewal survey.
- (3) If a Certificate is issued for a period of less than 5 years, the Administration may extend the validity of the Certificate beyond the expiry date to the maximum period specified in paragraph (1) of this regulation, provided that the surveys referred to in regulation 4(1)(c) and 4(1)(d) of this Annex applicable when a Certificate is issued for a period of 5 years are carried out as appropriate.
- (4) If a renewal survey has been completed and a new Certificate cannot be issued or placed on board the ship before the expiry date of the existing Certificate, the person or organization authorized by the Administration may endorse the existing Certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.

(5) If a ship at the time when a Certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No Certificate shall be extended for a period longer than 3 months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new Certificate. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing Certificate before the extension was granted.

(6) A Certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing Certificate before the extension was granted.

(7) In special circumstances, as determined by the Administration, a new Certificate need not be dated from the date of expiry of the existing Certificate as required by paragraph (2)(b), (5) or (6) of this regulation. In these special circumstances, the new Certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.

(8) If an annual or intermediate survey is completed before the period specified in regulation 4 of this Annex, then:

- (a) the anniversary date shown on the Certificate shall be amended by endorsement to a date which shall not be more than 3 months later than the date on which the survey was completed;
- (b) the subsequent annual or intermediate survey required by regulation 4 of this Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date;
- (c) the expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 4 of this Annex are not exceeded.

(9) A Certificate issued under regulation 5 or 6 of this Annex shall cease to be valid in any of the following cases:

- (a) If the relevant surveys are not completed within the periods specified under regulation 4(1) of this Annex.
- (b) If the Certificate is not endorsed in accordance with regulation 4(1)(c) or 4(1)(d) of this Annex.

- (c) Upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Government issuing the new Certificate is fully satisfied that the ship is in compliance with the requirements of regulation 4(4)(a) and 4(4)(b) of this Annex. In the case of a transfer between Parties, if requested within 3 months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the Certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports".

Appendix II

FORM OF CERTIFICATE

The existing Form of Certificate is replaced by the following:

"INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(Note: This Certificate shall be supplemented by a
Record of Construction and Equipment)

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, and as amended by resolution MEPC.39(29), (hereinafter referred to as "the Convention") under the authority of the Government of:

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

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

Particulars of ship ^{1/}

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

Deadweight of ship (metric tons)^{2/}

.....

IMO Number^{3/}

Type of ship^{4/}:

Oil tanker

Ship other than an oil tanker with cargo tanks coming under regulation 2(2) of Annex I of the Convention.

Ship other than any of the above.

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation 4 of Annex I of the Convention.
- 2 That the survey shows that the structure, equipment, systems, fittings, arrangements and material of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex I of the Convention.

This Certificate is valid until5/
subject to surveys in accordance with regulation 4 of Annex I of the Convention.

Issued at
(Place of issue of Certificate)

.....
(Date of issue) (Signature of authorized official issuing the Certificate)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that, at a survey required by regulation 4 of Annex I of the Convention, the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate^{4/} survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate^{4/} survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/intermediate survey in accordance with regulation 8(8)(c)

THIS IS TO CERTIFY that, at an annual/intermediate^{4/} survey in accordance with regulation 8(8)(c) of Annex I of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the Certificate if valid for less than 5 years where regulation 8(3) applies

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 8(3) of Annex I of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and regulation 8(4) applies

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 8(4) of Annex I of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the Certificate until reaching the port of survey or for a period of grace where regulation 8(5) or 8(6) applies

This Certificate shall, in accordance with regulation 8(5) or 8(6)4/ of Annex I of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement for advancement of anniversary date where regulation 8(8) applies

In accordance with regulation 8(8) of Annex I of the Convention, the new anniversary date is

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

In accordance with regulation 8(8) of Annex I of the Convention, the new anniversary date is

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)".

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- 1/ Alternatively, the particulars of the ship may be placed horizontally in boxes.
 - 2/ For oil tankers.
 - 3/ In accordance with resolution A.600(15) - IMO Ship Identification Number Scheme, this information may be included voluntarily.
 - 4/ Delete as appropriate.
 - 5/ Insert the date of expiry as specified by the Administration in accordance with regulation 8(1) of Annex I of the Convention. The day and the month of this date correspond to the anniversary date as defined in regulation 1(31) of Annex I of the Convention, unless amended in accordance with regulation 8(8) of Annex I of the Convention.

2 MARPOL 73/78, ANNEX II

Regulation 1

Definitions

New definition is added as follows:

"(14) "Anniversary date" means the day and the month of each year which will correspond to the date of expiry of the International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk".

Regulation 10

Surveys

The existing text is replaced by the following:

"(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) A renewal survey at intervals specified by the Administration, but not exceeding 5 years, except where regulation 12(2), 12(5), 12(6) or 12(7) of this Annex is applicable. The renewal survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with applicable requirements of this Annex.
- (c) An intermediate survey within 3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the Certificate which shall take the place of one of the annual surveys specified in paragraph (1)(d) of this regulation. The intermediate survey 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. 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 each anniversary date of the Certificate including a general inspection of the structure, equipment, systems, fittings, arrangements and material referred to in paragraph (1)(a) of this regulation to ensure that they have been maintained in accordance with paragraph (3) of this regulation and that they remain 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.

- (e) An additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in paragraph (3) of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirements 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 as set forth in subparagraph (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 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 a 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 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

The existing heading is replaced by the following:

"Issue or Endorsement of Certificate".

The existing text is replaced by the following:

"(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued, after an initial or renewal 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 or endorsed 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 and, where appropriate, endorse or authorize the endorsement of that Certificate on 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 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.
- (5) Notwithstanding any other provisions of the amendments to this Annex adopted by the Marine Environment Protection Committee (MEPC) by resolution MEPC.39(29), any International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk, which is current when these amendments enter into force, shall remain valid until it expires under the terms of this Annex prior to the amendments entering into force".

Regulation 12

Duration of Certificate

The existing heading is replaced by the following:

"Duration and Validity of Certificate".

The existing text is replaced by the following:

"(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 5 years.

- (2)(a) Notwithstanding the requirements of paragraph (1) of this regulation, when the renewal survey is completed within 3 months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.
- (b) When the renewal survey is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.
- (c) When the renewal survey is completed more than 3 months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of completion of the renewal survey.
- (3) If a Certificate is issued for a period of less than 5 years, the Administration may extend the validity of the Certificate beyond the expiry date to the maximum period specified in paragraph (1) of this regulation, provided that the surveys referred to in regulation 10(1)(c) and 10(1)(d) of this Annex applicable when a Certificate is issued for a period of 5 years are carried out as appropriate.
- (4) If a renewal survey has been completed and a new Certificate cannot be issued or placed on board the ship before the expiry date of the existing Certificate, the person or organization authorized by the Administration may endorse the existing Certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.
- (5) If a ship at the time when a Certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No Certificate shall be extended for a period longer than 3 months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new Certificate. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing Certificate before the extension was granted.
- (6) A Certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new Certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing Certificate before the extension was granted.

- (7) In special circumstances, as determined by the Administration, a new Certificate need not be dated from the date of expiry of the existing Certificate as required by paragraph (2)(b), (5) or (6) of this regulation. In these special circumstances, the new Certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.
- (8) If an annual or intermediate survey is completed before the period specified in regulation 10 of this Annex, then:
- (a) The anniversary date shown on the Certificate shall be amended by endorsement to a date which shall not be more than 3 months later than the date on which the survey was completed;
 - (b) The subsequent annual or intermediate survey required by regulation 10 of this Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date;
 - (c) The expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 10 of this Annex are not exceeded.
- (9) A Certificate issued under regulation 11 of this Annex shall cease to be valid in any of the following cases:
- (a) If the relevant surveys are not completed within the periods specified under regulation 10(1) of this Annex;
 - (b) If the Certificate is not endorsed in accordance with regulation 10 (1)(c) or 10(1)(d) of this Annex;
 - (c) Upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Government issuing the new Certificate is fully satisfied that the ship is in compliance with the requirements of regulation 10(4)(a) and 10(4)(b) of this Annex. In the case of a transfer between Parties, if requested within 3 months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the Certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports".

Appendix V

FORM OF CERTIFICATE

The existing Form of 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, and as amended by Resolution MEPC.39(29) (hereinafter referred to as "the Convention") under the authority of the Government of:

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

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

Particulars of ship 1/

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

IMO Number 2/

.....

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with regulation 10 of Annex II of the Convention.
- 2 That the survey showed that the structure, equipment, systems, fittings, arrangements and material of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex II of the Convention.
- 3 That the ship has been provided with a Manual in accordance with the Standards for the Procedures and Arrangements as called for by regulations 5, 5A and 8 of Annex II of the Convention, and that the arrangements and equipment of the ship prescribed in the Manual are in all respects satisfactory and comply with the applicable requirements of the said Standards.
- 4 That the ship is suitable for the carriage in bulk of the following noxious liquid substances, provided that all relevant operational provisions of Annex II of the Convention are observed.

Noxious liquid substances	Conditions of carriage (tank numbers etc.)
Continued on additional signed and dated sheets <u>3/</u>	

This Certificate is valid until4/
subject to surveys in accordance with regulation 10 of Annex II of the
Convention.

Issued at
(Place of issue of Certificate)

.....
(Date of issue) (Signature of authorized official
issuing the Certificate)

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that, at a survey required by regulation 10 of Annex II of the Convention, the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate^{3/} survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate^{3/} survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Annual/intermediate survey in accordance with regulation 12(8)(c)

THIS IS TO CERTIFY that, at an annual/intermediate^{3/} survey in accordance with regulation 12(8)(c) of Annex II of the Convention, the ship was found to comply with the relevant provisions of the Convention.

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the Certificate if valid for less than 5 years where regulation 12(3) applies

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 12(3) of Annex II of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and regulation 12(4) applies

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 12(4) of Annex II of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the Certificate until reaching the port of survey or for a period of grace where regulation 12(5) or 12(6) applies

This Certificate shall, in accordance with regulation 12(5) or 12(6)^{3/} of Annex II of the Convention, be accepted as valid until

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Endorsement for advancement of anniversary date where regulation 12(8) applies

In accordance with regulation 12(8) of Annex II of the Convention, the new anniversary date is

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)

In accordance with regulation 12(8) of Annex II of the Convention, the new anniversary date is

Signed
(Signature of authorized official)

Place

Date

(Seal or stamp of the authority, as appropriate)".

-
- 1/ Alternatively, the particulars of the ship may be placed horizontally in boxes.
 - 2/ In accordance with resolution A.600(15) - IMO Ship Identification Number Scheme, this information may be included voluntarily.
 - 3/ Delete as appropriate.
 - 4/ Insert the date of expiry as specified by the Administration in accordance with regulation 12(1) of Annex II of the Convention. The day and the month of this date correspond to the anniversary date as defined in regulation 1(14) of Annex II of the Convention, unless amended in accordance with regulation 12(8) of Annex II of the Convention.
