

# Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships

Done at London 17 February 1978

The Parties to the present Protocol,

Recognizing the significant contribution which can be made by the International Convention for the Prevention of Pollution from Ships, 1973, to the protection of the marine environment from pollution from ships,

Recognizing also the need to improve further the prevention and control of marine pollution from ships, particularly oil tankers,

Recognizing further the need for implementing the Regulation for the Prevention of Pollution by Oil contained in Annex I of that Convention as early and as widely as possible,

Acknowledging however the need to defer the application of Annex II of that Convention until certain technical problems have been satisfactorily resolved.

Considering that these objections may best be achieved by the conclusion of a Protocol relating to the International Convention for the Prevention of Pollution from Ships, 1973,

Have agreed as follows:

## **Article I**

### **GENERAL OBLIGATIONS**

1. The Parties to the present Protocol undertake to give effect to the provisions of:

a) the present Protocol and the Annex hereto which shall constitute an integral part of the present Protocol; and

b) the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as "the Convention"), subject to the modifications and additions set out in the present Protocol.

2. The provisions of the Convention and the present Protocol shall be read and interpreted together as one single instrument.

3. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

## **Article II**

### **IMPLEMENTATION OF ANNEX II OF THE CONVENTION**

1. Notwithstanding the provisions of Article 14(1) of the Convention, the Parties to the present Protocol agree that they shall not be bound by the provisions of Annex II of the Convention for a period of three years from the date of entry into force of the present Protocol or for such longer period as may be decided by a two-thirds majority of the Parties to the present Protocol in the Marine Environment Protection Committee (hereinafter referred to as "the Committee") of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as "the Organization").

2. During the period specified in paragraph 1 of this Article, the Parties to the present Protocol shall not be under any obligations nor entitled to claim any privileges under the Convention in respect of matters relating to Annex II of the Convention and all reference to Parties in the Convention shall not include the Parties to the present Protocol in so far as matters relating to that Annex are concerned.

## **Article III**

### **COMMUNICATION OF INFORMATION**

The text of Article 11(1)(b) of the Convention is replaced by the following:

"a list of nominated surveyors or recognized organizations which are authorized to act on their behalf in the administration of matters relating to the design, construction, equipment and operation of ships carrying harmful substances in accordance with the provisions of the Regulations for circulation to the Parties for information of their officers. The Administration shall therefore notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations."

## **Article IV**

### **SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION**

1. The present Protocol shall be open for signature at the Headquarters of the Organization from 1 June 1978 to 31 May 1979 and shall thereafter remain open for accession. States may become Parties to the present Protocol by:

- a) signature without reservation as to ratification, acceptance or approval; or
- b) signature, subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- c) accession.

2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.

## **Article V**

### **ENTRY INTO FORCE**

1. The present Protocol shall enter into force twelve months after the date on which not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have become Parties to it in accordance with Article IV of the present Protocol.
2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.
3. After the date on which an amendment to the present Protocol is deemed to have been accepted in accordance with Article 16 of the Convention, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

## **Article VI**

### **AMENDMENTS**

The procedures set out in Article 16 of the Convention in respect of amendments to the Articles, an Annex and an Appendix to an Annex of the Convention shall apply respectively to amendments to the Articles, the Annex and an Appendix to the Annex of the present Protocol.

## **Article VII**

### **DENUNCIATION**

1. The present Protocol may be denounced by any Party to the present Protocol at any time after the expiry of five years from the date on which the Protocol enters into force for that Party.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3. A denunciation shall take effect twelve months after receipt of the notification by the Secretary-General of the Organization or after the expiry of any other longer period which may be indicated in the notification.

## **Article VIII**

### **DEPOSITARY**

1. The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the Depositary").

2. The Depositary shall:

a) inform all States which have signed the present Protocol or acceded thereto of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of the present Protocol;

(iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it is received and the date on which the denunciation takes effect.

(iv) any decisions made in accordance with Article II(1) of the present Protocol;

b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.

3. As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

## **Article IX**

### **LANGUAGE**

The present Protocol is established in a single original in the English, French, Russian and Spanish language, each text being equally authentic. Official translations in the Arabic, German, Italian and Japanese languages shall be prepared and deposited with the signed original.

In Witness Whereof the undersigned being duly authorized by their respective Governments for that purpose have signed the present Protocol.

Done at London this seventeenth day of February one thousand nine hundred and seventy-eight.

Annex: Modifications and Additions to the International Convention for the Prevention of Pollution from Ships, 1973

## **ANNEX I: REGULATIONS FOR THE PREVENTION OF POLLUTION BY OIL**

Regulation 1

### DEFINITIONS

Paragraphs (1) to (7) - No change

The existing text of paragraph (8) is replaced by the following:

8. a) 'Major conversion' means a conversion of an existing ship:

(i) which substantially alters the dimensions or carrying capacity of the ship; or

(ii) which changes the type of the ship; or

(iii) the intent of which in the opinion of the Administration is substantially to prolong its life; or

(iv) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Protocol not applicable to it as an existing ship.

b) Notwithstanding the provisions of subparagraph (a) of this paragraph, conversion of an existing oil tanker of 20,000 tons deadweight and above to meet the requirements of Regulation 13 of this Annex shall not be deemed to constitute a major conversion for the purpose of this Annex.

Paragraph (9) to (22) \_ No change

The existing text of paragraph (23) is replaced by the following:

(23) 'Lightweight' means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects.

Paragraphs (24) and (25) \_ No change

The following paragraphs are added to the existing text:

(26) Notwithstanding the provisions of paragraph (6) of this Regulation, for the purposes of Regulation 13, 13B, 13E and 18

(5) of this Annex, "new oil tanker" means an oil tanker:

a) for which the building contract is placed after 1 June 1979; or

b) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction after 1 January 1979; or

c) the delivery of which is after 1 June 1982; or

d) which has undergone a major conversion:

(i) for which the contract is placed after 1 June 1979; or

(ii) in the absence of a contract, the construction work of which is begun after 1 January 1980; or

(iii) which is completed after 1 June 1982, except that, for oil tankers of 70,000 tons deadweight and above, the definition in paragraph (6) of this Regulation shall apply for the purposes of Regulation 13(1) of this Annex.

(27) Notwithstanding the provisions of paragraph (7) of this Regulation, for the purposes of Regulations 13, 13A, 13B, 13C, 13D and 18(6) of this Annex, "existing oil tanker" means an oil tanker which is not a new oil tanker as defined in paragraph

(26) of this Regulation.

(28) "Crude Oil" means any liquid hydrocarbon mixture occurring naturally in the earth whether or not treated to render it suitable for transportation and includes:

a) crude oil from which certain distillate fractions may have been removed; and

b) crude oil to which certain distillate fractions may have been added.

(29) "Crude oil tanker" means an oil tanker engaged in the trade of carrying crude oil.

(30) "Product carrier" means an oil tanker engaged in the trade of carrying oil other than crude oil.

Regulations 2 and 3

No change

Regulation 4

The existing text of Regulation 4 is replaced by the following:

Surveys and Inspections

(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, system fittings, arrangements and material fully comply with the applicable requirements of this Annex.

b) Periodical surveys at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the requirements of this Annex.

c) A minimum of one intermediate survey during the period of validity of the Certificate which 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. In cases where only one such intermediate survey is carried out in any one Certificate validity period, it shall be held not before six months prior to, nor later than six months after the half-way date of the Certificate's period of validity. Such intermediate surveys shall be endorsed on the Certificate issued under Regulation 5 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) The Administration shall institute arrangements for unscheduled inspections to be carried out during the period of validity of the Certificate. Such inspections shall ensure that the ship and its equipment remain in all respects satisfactory for the services for which the ship is intended. These inspections may be carried out by their own inspection services, or by nominated surveyors or by recognized organizations, or by other Parties upon request of the Administration. Where the Administration, under the provisions of paragraph (1) of this Regulation, establishes mandatory annual surveys, the above unscheduled inspections shall not be obligatory.

c) An Administration nominating surveyors or recognizing organizations to conduct surveys and inspections as set forth in sub-paragraphs (a) and (b) 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 and inspections 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.

(d) 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 and there the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such survey 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 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.

e) In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and inspection 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 with the provisions of the present Protocol 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, 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 of 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 (i) of this Regulation is necessary. If the ship is in 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.

Regulations 5, 6 and 7

In the existing text of these Regulations, delete all reference to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

Regulation 8

#### DURATION OF CERTIFICATE

The existing text of Regulation 8 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 five years from the date of issue, provided that in the case of an oil tanker operating with dedicated clean ballast tanks for a limited period specified in Regulation 13(9) of this Annex, the period of validity of the Certificate shall not exceed such specified period.

2. A Certificate shall cease to be valid if significant alterations have taken place in the construction, equipment, systems, fittings, arrangements or material required without the sanction of the Administration, except the direct replacement of such equipment or fittings, or of intermediate surveys as specified by the Administration under Regulation 4(1)(c) of this Annex are not carried out.

3. A Certificate issued to a ship shall also cease to be valid upon transfer of the ship to the flag of another State. A new Certificate shall only be issued when the Governments issuing the new

Certificate is fully satisfied that the ship is in full compliance with the requirements of Regulation 4(4)(a) and (b) of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall transmit as soon as possible to the Administration a copy of the Certificate carried by the ship before the transfer and, if available, a copy of the relevant survey report.

Regulations 9 to 12

No change

Regulation 13

The existing text to Regulation 13 is replaced by the following Regulations:

Regulation 13

#### SEGREGATED BALLAST TANKS, DEDICATED CLEAN BALLAST TANKS AND CRUDE OIL WASHING

Subject to the provisions of Regulation 13C and 13D of this Annex, oil tanker shall comply with the requirements of this Regulation.

New oil tankers 20,000 tons deadweight and above

1. Every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 30,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with paragraphs (2), (3) and (4), or paragraph (5) as appropriate, of this Regulation.

2. The capacity of the segregated ballast tanks shall be so determined that the ship may operate safely on ballast voyages without recourse to the use of cargo tanks for water ballast except as provided for in paragraph (3) or (4) of this Regulation. In all cases, however, the capacity of segregated ballast tanks shall be at least such that, in any ballast condition at any part of the voyage, including conditions consisting of lightweight plus segregated ballast only, the ship's draughts and trim can meet each of the following requirements:

a) the moulded draught amidships (dm) in meters (without taking into account any ship's deformation) shall not be less than:

\*

$$dm = 2.0 + 0.02L;$$

b) the draughts at the forward and after perpendiculars shall correspond to those determined by the draught amidships (dm) as specified in sub-paragraphs (a) of this paragraph, in association with the trim by the stern of not greater than 0.015L; and

c) in any case the draught at the after perpendicular shall not be less than that which is necessary to obtain full immersion of the propeller(s).

3. In no case shall ballast water be carried in cargo tanks except on those rare voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship. Such additional ballast water shall be processed and discharged in compliance with Regulation 9 of this Annex and in accordance with the requirements of Regulation 15 of this Annex and entry shall be made in the Oil Record Book referred to in Regulation 20 of this Annex.

4. In the case of new crude oil tankers, the additional ballast permitted in paragraph (3) of this Regulation shall be carried in cargo tanks only if such tanks have been crude oil washed in accordance with Regulation 13B of this Annex before departure from an oil unloading port or terminal.

5. Notwithstanding the provisions of paragraph (2) of this Regulation, the segregated ballast conditions for oil tankers less than 150 meters in length shall be to the satisfaction of the Administration.

6. Every new crude oil tanker of 20,000 tons deadweight and above shall be fitted with cargo tank cleaning system using crude oil washing. The Administration shall undertake to ensure that the system fully complies with the requirements of Regulation 13B of this Annex within one year after the tanker was first engaged in the trade of carrying crude oil or by the end of the third voyage carrying crude oil suitable for crude oil washing, whichever occurs later. Unless such oil tanker carries crude oil which is not suitable for crude oil washing, the oil tanker shall operate the system in accordance with the requirements of that Regulation.

Existing crude oil tankers of 40,000 tons deadweight and above

7. Subject to the provisions of paragraphs (8) and (9) of this Regulation every existing crude oil tanker of 40,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with the requirements of paragraphs (2) and (3) of this Regulation from the date of entry into force of the present Protocol.

8. Existing crude oil tankers referred to in paragraph (7) of this Regulation may, in lieu of being provided with segregated ballast tanks, operate with a cargo tank cleaning procedure using crude oil washing in accordance with Regulation 13B of this Annex unless the crude oil tanker is intended to carry crude oil which is not suitable for crude oil washing.

9. Existing crude oil tankers referred to in paragraphs (7) and

(8) of this Regulation may, in lieu of being provided with segregated ballast tanks or operating with a cargo tank cleaning procedure using crude oil washing, operate with dedicated clean ballast tanks in accordance with the provisions of Regulation 13A of this Annex for the following period:

a) for crude oil tankers of 70,000 tons deadweight and above, until two years after the date of entry into force of the present Protocol; and

b) Crude oil tankers of 40,000 tons deadweight and above but below 70,000 tons deadweight, until four years after the date of entry into force of the present Protocol.

Existing product carriers of 40,000 tons deadweight and above

(10) From the date of entry into force of the present Protocol, every existing product carrier of 40,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with the requirements of paragraphs (2) and (3) of this Regulation, or, alternatively, operate with dedicated clean ballast tanks in accordance with the provisions of Regulation 13A of this Annex.

An oil tanker qualified as a segregated ballast oil tanker

(11) Any oil tanker which is not required to be provided with segregated ballast tanks in accordance with paragraph (1), (7) or (10) of this Regulation may, however, be qualified as a segregated ballast tanker, provided that it complies with the requirements of paragraphs (2) and (3), or paragraph (5) as appropriate, of this Regulation.

Regulation 13A

#### REQUIREMENTS FOR OIL TANKERS WITH DEDICATED CLEAN BALLAST TANKS

1. An oil tanker operating with dedicated clean ballast tanks in accordance with the provisions of Regulation 13(9) or (10) of this Annex, shall have adequate tank capacity, dedicated solely to the carriage of clean ballast as defined in Regulation 1(16) of this Annex, to meet the requirements of Regulations 13(2) and (3) of this Annex.

2. The arrangements and operational procedures for dedicated clean ballast tanks shall comply with the requirements established by the Administration. Such requirements shall contain at least all the provisions of the Specifications for Oil Tankers with Dedicated Clean Ballast Tanks adopted by the International Conference on Tanker Safety and Pollution Prevention, 1978, in Resolution 14 and as may be revised by the Organization.

3. An oil tanker operating with dedicated clean ballast tanks shall be equipped with an oil content meter, approved by the Administration on the basis of specification recommended by the

Organization\*, to enable supervision of the oil content in ballast water being discharged. The oil content meter shall be installed no later than at the first scheduled shipyard visit of the tanker following the entry into force of the present Protocol. Until such time as the content meter is installed, it shall immediately before discharge of ballast be established by examination of the ballast water from dedicated tanks that no contamination with the oil has taken place.

\* Reference is made to the Recommendations on International Performance and Test Specifications for Oily-Water separating Equipment and Oil content meters adopted by the organization by Resolution A. 393 (x)

4. Every oil tanker operating with dedicated clean ballast tanks shall be provided with:

a) a Dedicated Clean Ballast Tank Operations Manual detailing the system and specifying operational procedures. Such a Manual shall be to the satisfaction of the Administration and shall contain all the information set out in the Specifications referred to in paragraph (2) of this Regulation. If an alteration affecting the dedicated clean ballast tank system is made, the Operation Manual shall be revised accordingly: and

b) a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement 1 to Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

Regulation 13B

#### REQUIREMENTS FOR CRUDE OIL WASHING

1. Every crude oil washing system required to be provided in accordance with Regulation 13(6) and (8) of this Annex shall comply with the requirements of this Regulation.

2. The crude oil washing installation and associated equipment and arrangements shall comply with the requirements established by the Administration. Such requirements shall contain at least all the provisions of the Specifications for the Design, Operation and Control of Crude Oil Washing Systems adopted by the International Conference on Tanker Safety and Pollution Prevention, 1978, in Resolution 15 and as may be revised by the Organization.

3. An inert gas system shall be provided in every cargo tank and slop tank in accordance with the appropriate Regulations of Chapter II-2 of the International Convention for the Safety of Life at Sea, 1974, as modified and added to by the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974.

4. With respect to the ballasting of cargo tanks, sufficient cargo tanks shall be crude oil washed prior to each ballast voyage in order that, taking into account the tanker's trading pattern and expected weather conditions, ballast water is put only into cargo tanks which have been crude oil washed.

5. Every oil tanker operating with crude oil washing systems shall be provided with:

a) an Operations and Equipment Manual detailing the system and equipment and specifying an operational procedure. Such a Manual shall be to the satisfaction of the Administration and shall contain all the information set out in the Specifications referred to in paragraph (2) of this Regulation. If an alteration affecting the crude oil washing system is made, the Operations and Equipment Manual shall be revised accordingly; and

b) a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement 2 of Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

#### Regulation 13C

#### EXISTING TANKERS ENGAGED IN SPECIFIC TRADES.

1. Subject to the provisions of paragraphs (2) and (3) of this Regulation, Regulation 13(7) to (10) of this Annex shall not apply to an existing oil tanker solely engaged in specific trades between:

a) ports or terminals within a State Party to the present Protocols; or

b) ports or terminals of States Parties to the present Protocol, where:

(i) the voyage is entirely within a Special Area as defined in Regulation 10(1) of this Annex; or

(ii) the voyage is entirely within other limits designated by the Organization.

2. The provisions of paragraph (1) of this Regulation shall only apply when the ports or terminals where cargo is loaded on such voyages are provided with reception facilities adequate for the reception and treatment of all the ballast and tank washing water from oil tankers using them and all the following conditions are complied with:

a) subject to the exceptions provided for in Regulation 11 of this Annex, all ballast water, including clean ballast water, and tank washing residues are retained on board and transferred to the reception facilities and the entry in the appropriate Sections of the Supplement to the Oil Record Book referred to in paragraph (3) of this Regulation is endorsed by the competent Port State authority;

b) agreement has been reached between the Administration and the Governments of the Port States referred to in sub-paragraph (1)(a) or (b) of this Regulation concerning the use of an existing oil tanker for a specific trade;

c) the adequacy of the reception facilities in accordance with the relevant provisions of this Annex at the ports or terminals referred to above,

d) The International oil pollution prevention certificate is endorsed to the effect that the oil tanker is solely engaged in such specific trade,

3. Every oil tanker engaged in a specific trade shall be provided with a Supplement to the Oil Record Book referred to in Regulation 20 of this Annex as set out in Supplement 3 to Appendix III of this Annex. The Supplement shall be permanently attached to the Oil Record Book.

#### Regulation 13D

#### EXISTING OIL TANKERS HAVING SPECIAL BALLAST ARRANGEMENTS

1. Where an existing oil tanker is so constructed or operates in such a manner that it complies at all times with the draught and trim requirements set out in Regulation 13(2) of this Annex without recourse to the use of ballast water, it shall be deemed to comply with the segregated ballast tank requirements referred to in Regulation 13(7) of this Annex, provided that all of the following conditions are complied with:

a) operational procedures and ballast arrangements are approved by the Administration;

b) agreement is reached between the Administration and the Governments of the Port States Parties to the present Protocol concerned when the draught and trim requirements are achieved through an operational procedure; and

c) the International Oil Pollution Prevention Certificate is endorsed to the effect that the oil tanker is operating with special ballast arrangements.

2. In no case shall ballast water be carried in oil tanks except on those rare voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship. Such additional ballast water shall be processed and discharged in compliance with Regulation 9 of this Annex and in accordance with the requirements of Regulation 15 of this Annex, and entry shall be made in the Oil Record Book referred to in Regulation 20 of this Annex.

3. An Administration which has endorsed a Certificate in accordance with sub-paragraph (1)(c) of this Regulation shall communicate to the Organization the particulars thereof for circulation to the Parties to the present Protocol.

Regulation 13E

#### PROTECTIVE LOCATION OF SEGREGATED BALLAST SPACES

1. In every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 30,000 tons deadweight and above, the segregated ballast tanks required to provide the capacity to comply with the requirements of Regulation 13 of this Annex which are located within the cargo tank length, shall be arranged in accordance with the requirements of paragraphs (2), (3) and (4) of this Regulation to provide a measure of protection against oil outflow in the event of grounding or collision.

2. Segregated ballast tanks and spaces other than oil tanks within the cargo tank length ( $L_t$ ) shall be so arranged as to comply with the following requirement:

\*

$P_{Ac} + P_{As} J[L_t + 2D]$

where:

$P_{Ac}$  = the side shell area in square metres for each segregated ballast tank or space other than an oil tank based on projected moulded dimensions,

$P_{As}$  = the bottom shell area in square metres for each such tank or space based on projected moulded dimensions,

$L_t$  = length in metres between the forward and after extremities of the cargo tanks,

$B$  = maximum breadth of the ship in metres as defined in Regulation 1(21) of this Annex,

$D$  = moulded depth in metres measured vertically from the top of the keel to the top of the freeboard deck beam at side amidships. In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design,

$J = 0.45$  for oil tankers of 20,000 tons deadweight  $0.03$  for oil tankers of 200,000 tons deadweight and above, subject to the provisions of paragraph (3) of this Regulation.

For intermediate values of deadweight the value of  $J$  shall be determined by linear interpolation.

Whenever symbols given in this paragraph appear in this Regulation, they have the meaning as defined in this paragraph.

3. For tankers of 200,000 tons deadweight and above the value of J may be reduced as follows:

$J_{\text{reduced}} = [J - (a - O_c + O_s)]$  or  $0.24 O_a$  (?) whichever is greater where:

$a = 0.25$  for oil tankers of 200,000 tons deadweight

$a = 0.40$  for oil tankers of 300,000 tons deadweight

$a = 0.50$  for oil tankers of 420,000 tons deadweight and above,

For intermediate values of deadweight the  $a$  shall be determined by linear interpolation.

$O_c$  = as defined in Regulation 23(1)(a) of this Annex,

$O_s$  = as defined in Regulation 23(1)(b) of this Annex,

$O_a$  = the allowable oil outflow as required by Regulation 24(2) of this Annex.

4. In the determination of  $P_{Ac}$  and  $PAs$  for segregated ballast tanks and spaces and other than oil tanks the following shall apply:

a) the minimum width of each wing tank or space either of which extends for the full depth of the ship's side or from the deck to the top of the double bottom shall be not less than 2 metres. The width shall be measured inboard from the ship's side at right angles to the centre line. Where a lesser width is provided the wing tank or space shall not be taken into account when calculating the protecting area  $P_{Ac}$ ; and

b) the minimum vertical depth of each double bottom tank or space shall be  $B/15$  or 2 metres, whichever is the lesser. Where a lesser depth is provided the bottom tank or space shall not be taken into account when calculating the protecting area  $PAs$ .

The minimum width and depth of wing tanks and double bottom tanks shall be measured clear of the bilge area and, in the case of minimum width, shall be measured clear of any rounded gunwale area.

Regulation 14

No change

## Regulation 15

In the existing text of this Regulation, delete reference to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

## Regulation 16 and 17

No change

## Regulation 18

### PUMPING, PIPING AND DISCHARGE ARRANGEMENTS OF OIL TANKERS

Paragraphs (1) to (4) \_ No change

The following paragraphs are added to the existing text:

5. Every new oil tanker required to be provided with segregated ballast tanks, or fitted with a crude oil washing system shall comply with the following requirements:

a) it shall be equipped with oil piping so designed and installed such that oil retention in the lines is minimized; and

b) means shall be provided to drain all cargo pumps and all oil lines at the completion of cargo discharge, where necessary by connexion to a stripping device. The line and pump drainings shall be capable of being discharged both ashore and to a cargo tank or a slop tank. For discharge ashore a special small diameter line shall be provided for that purpose and connected outboard of the ship's manifold valves.

6. Every existing crude carrier required to be provided with segregated ballast tanks, or fitted with a crude oil washing system or operated with dedicated clean ballast tanks, shall comply with the provisions of paragraph (5)(b) of this Regulation.

## Regulation 19

No change

## Regulation 20

In the existing text of this Regulation, delete reference to "(1973)" in relation to the International Oil Pollution Prevention Certificate.

Regulation 21 to 25

No change

APPENDIX I: LIST OF OILS

No change

APPENDIX II: FORM OF CERTIFICATE

The existing form of Certificate is replaced by the following form:

omissis

APPENDIX III: FORM OF OIL RECORD BOOK

The following forms of Supplements to the Oil Record Book are added to the existing form: