

Ο περί της Διεθνούς Σύμβασης για την Πρόληψη της Ρύπανσης της Θάλασσας από Πλοία (Κυρωτικός) και περί Συναφών Θεμάτων (Τροποποιητικός) Νόμος του 2004 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 46(ΙΙΙ) του 2004

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΟ ΠΡΩΤΟΚΟΛΛΟ ΤΟΥ 1997 ΠΟΥ ΤΡΟΠΟΠΟΙΕΙ ΤΗ ΔΙΕΘΝΗ ΣΥΜΒΑΣΗ ΓΙΑ ΤΗΝ ΠΡΟΛΗΨΗ ΤΗΣ ΡΥΠΑΝΣΗΣ ΤΗΣ ΘΑΛΑΣΣΑΣ ΑΠΟ ΠΛΟΙΑ ΤΟΥ 1973, ΚΑΙ ΤΟ ΠΡΩΤΟΚΟΛΛΟ ΤΗΣ ΤΟΥ 1978, ΟΠΩΣ ΤΡΟΠΟΠΟΙΗΘΗΚΑΝ, ΚΑΙ ΠΟΥ ΤΡΟΠΟΠΟΙΕΙ ΤΟΥΣ ΚΥΡΩΤΙΚΟΥΣ ΤΟΥΣ ΝΟΜΟΥΣ ΤΟΥ 1989 ΕΩΣ 2003

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Διεθνούς Σύμβασης για την Πρόληψη της Ρύπανσης της Θάλασσας από Πλοία (Κυρωτικός) και περί Συναφών Θεμάτων (Τροποποιητικός) Νόμος του 2004 και θα διαβάζεται μαζί με τους περί της Διεθνούς Συμβάσεως περί Προλήψεως της Ρύπανσης της Θάλασσας από Πλοία (Κυρωτικούς) και περί Συναφών Θεμάτων Νόμους του 1989 έως 2003 (που στη συνέχεια θα αναφέρονται ως «ο βασικός νόμος») και ο παρών Νόμος και ο βασικός νόμος θα αναφέρονται μαζί ως οι περί της Διεθνούς Σύμβασης για την Πρόληψη της Ρύπανσης της Θάλασσας από Πλοία (Κυρωτικοί) και περί Συναφών Θεμάτων Νόμοι του 1989 έως 2004.

Συνοπτικός
τίτλος.

57 του 1989
11(ΙΙΙ) του 1995
11(ΙΙΙ) του 2001
38(ΙΙΙ) του 2003.

2. Το άρθρο 2 του βασικού νόμου τροποποιείται με την ένθεση στην κατάλληλη αλφαβητική σειρά, του ακόλουθου νέου ορισμού:

Τροποποίηση
του άρθρου 2
του βασικού
νόμου.

«Πρωτόκολλο του 1997' σημαίνει το Πρωτόκολλο του 1997 που υπογράφηκε στο Λονδίνο στις 26 Σεπτεμβρίου 1997, το οποίο τροποποιεί τη Σύμβαση και το Πρωτόκολλο του 1978».

3.—(1) Με τον παρόντα Νόμο κυρώνεται το Πρωτόκολλο του 1997, η προσχώρηση στο οποίο αποφασίσθηκε με την Απόφαση του Υπουργικού Συμβουλίου με Αρ. 59.848 και ημερομηνία 14 Απριλίου 2004.

Κύρωση του
Πρωτοκόλλου
του 1997.

(2) Το κείμενο του Πρωτοκόλλου του 1997 μαζί με το Παράρτημά του, εκτίθεται σε πρωτότυπο στην Αγγλική γλώσσα στο Μέρος Ι του Πίνακα και σε μετάφραση στην Ελληνική γλώσσα στο Μέρος ΙΙ του Πίνακα:

Πίνακας,
Μέρος Ι,
Μέρος ΙΙ.

Νοείται ότι, σε περίπτωση αντίθεσης μεταξύ των δύο κειμένων, υπερισχύει το πρωτότυπο κείμενο στην Αγγλική γλώσσα.

ΠΙΝΑΚΑΣ

(Αρθρο 3)

ΜΕΡΟΣ Ι

**PROTOCOL OF 1997 TO AMEND THE INTERNATIONAL CONVENTION
FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973, AS
MODIFIED BY THE PROTOCOL OF 1978 RELATING THERETO**

THE PARTIES TO THE PRESENT PROTOCOL,

BEING Parties to the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973,

RECOGNIZING the need to prevent and control air pollution from ships,

RECALLING Principle 15 of the Rio Declaration on Environment and Development which calls for the application of a precautionary approach,

CONSIDERING that this objective could best be achieved by the conclusion of a Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto,

HAVE AGREED as follows:

Article 1

Instrument to be amended

The instrument which the present Protocol amends is the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as the "Convention").

Article 2

Addition of Annex VI to the Convention

Annex VI entitled Regulations for the Prevention of Air Pollution from Ships, the text of which is set out in the annex to the present Protocol, is added.

Article 3

General Obligations

1. The Convention and the present Protocol shall, as between the Parties to the present Protocol, be read and interpreted together as one single instrument.
2. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

Article 4**Amendment procedure**

In applying article 16 of the Convention to an amendment to Annex VI and its appendices, the reference to "a Party to the Convention" shall be deemed to mean the reference to a Party bound by that Annex.

FINAL CLAUSES**Article 5****Signature, ratification, acceptance, approval and accession**

1. The present Protocol shall be open for signature at the Headquarters of the International Maritime Organization (hereinafter referred to as the "Organization") from 1 January 1998 until 31 December 1998 and shall thereafter remain open for accession. Only Contracting States to the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1978 Protocol") 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 (hereinafter referred to as the "Secretary-General").

Article 6**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 50 per cent of the gross tonnage of the world's merchant shipping, have become Parties to it in accordance with article 5 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 7**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.
1. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.
3. A denunciation shall take effect twelve months after receipt of the notification by the Secretary-General or after the expiry of any other longer period, which may be indicated in the notification.
4. A denunciation of the 1978 Protocol in accordance with article VII thereof shall be deemed to include a denunciation of the present Protocol in accordance with this article. Such denunciation shall take effect on the date on which denunciation of the 1978 Protocol takes effect in accordance with article VII of that Protocol.

Article 8**Depositary**

1. The present Protocol shall be deposited with the Secretary-General (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; and
 - (iii) the deposit of any instrument of denunciation of the present Protocol, together with the date on which it was received and the date on which the denunciation takes effect.
 - (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.

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Article 9

Languages

The present Protocol is established in a single copy in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

DONE AT LONDON this twenty-sixth day of September, one thousand nine hundred and ninety-seven.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Protocol.
