



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

ACTS SUPPLEMENT

Published by Authority

NO. 33]

FRIDAY, JUNE 16

[2017

First published in the *Government Gazette*, Electronic Edition, on 12 June 2017 at 5 pm.

The following Act was passed by Parliament on 8 May 2017 and assented to by the President on 2 June 2017:—

REPUBLIC OF SINGAPORE

No. 26 of 2017.

I assent.

TONY TAN KENG YAM,
President.
2 June 2017.



An Act to amend the Prevention of Pollution of the Sea Act
(Chapter 243 of the 1999 Revised Edition).

Be it enacted by the President with the advice and consent of the
Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Prevention of Pollution of the Sea (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of long title

2. The long title to the Prevention of Pollution of the Sea Act (called in this Act the principal Act) is amended by deleting the words “and to other international agreements relating to the prevention, reduction and control of pollution of the sea and pollution from ships” and substituting the words “the International Convention for the Control and Management of Ships’ Ballast Water and Sediments 2004, and to other international agreements relating to the protection of the marine environment and to the prevention, reduction and control of pollution of the sea and pollution from ships”.

Amendment of section 2

3. Section 2 of the principal Act is amended —

(a) by inserting, immediately after the definition of “Authority” in subsection (1), the following definitions:

““ballast tank” means any tank, hold or space used for the carriage of ballast water;

“ballast water” means water with its suspended matter taken on board a ship to control trim, list, draught, stability or stresses of the ship;

“ballast water management” means mechanical, physical, chemical, and biological processes, either singularly or in combination, to remove, render harmless, or avoid the uptake or discharge of harmful aquatic organisms and pathogens within ballast water and sediments;

“Ballast Water Management Convention” means the International Convention for the Control and Management of Ships’ Ballast Water and Sediments 2004;

“ballast water management system” —

- (a) means any system which processes ballast water such that it meets or exceeds the ballast water performance standard in the Ballast Water Management Convention; and
 - (b) includes ballast water treatment equipment, all associated control equipment, piping arrangements specified by the manufacturer of the ballast water management system as forming part of the ballast water management system, control and monitoring equipment and sampling facilities; but
 - (c) does not include any of the ship’s ballast water fittings, such as piping, valves and pumps, that would be required to be fitted even if the ballast water management system was not fitted;”;
- (b) by inserting, immediately after the definition of “garbage” in subsection (1), the following definition:
- “ “harmful aquatic organisms and pathogens” means aquatic organisms or pathogens which, if introduced into the sea including estuaries, or into fresh water courses, may create hazards to the environment, human health, property or resources, impair biological diversity or interfere with other legitimate uses of such areas;”;

- (c) by deleting the definition of “reception facilities” in subsection (1) and substituting the following definitions:

““reception facilities” means facilities which enable ships to —

(a) discharge or deposit residues and mixtures, which residues and mixtures contain oil or noxious liquid substances; or

(b) discharge sediments;

“sediments” means matter settled out of ballast water within a ship;”;

- (d) by deleting the definition of “terminal” in subsection (1) and substituting the following definition:

““terminal” means any terminal (including an oil terminal), jetty, pier or mono-buoy and a yard or drydock (including the precincts of the terminal) in which —

(a) vessels are constructed, reconstructed, repaired, refitted, finished or broken up; or

(b) ballast tanks of vessels are cleaned or repaired;”;

- (e) by deleting the words “or trade effluent” in subsection (2) and substituting the words “, trade effluent, ballast water or sediments”;

- (f) by deleting subsection (3) and substituting the following subsection:

“(3) Unless the context otherwise requires —

(a) a reference in this Act to the discharge of any oil, oily mixture, noxious liquid substance, ballast water or sediments from a ship is a reference to the discharge of the oil, oily mixture, noxious liquid substance,

ballast water or sediments from the ship at any place in or outside Singapore; and

- (b) a reference in this Act to the discharge of any oil, oily mixture, noxious liquid substance or sediments from a place on land is a reference to the discharge of the oil, oily mixture, noxious liquid substance or sediments from the place at any place in or outside Singapore.”; and

- (g) by inserting, immediately after the word “Convention” in subsection (4), the words “, the Ballast Water Management Convention”.

Amendment of section 4

4. Section 4 of the principal Act is amended by deleting the section heading and substituting the following section heading:

“Special defences to section 3”.

Amendment of section 5

5. Section 5 of the principal Act is amended —

- (a) by deleting “\$10,000” and substituting “\$20,000”; and
(b) by deleting the words “2 years” and substituting the words “6 months”.

New section 5A

6. The principal Act is amended by inserting, immediately after section 5, the following section:

“Prohibition of discharge of sediments from land or apparatus

5A.—(1) If any sediments are discharged into Singapore waters from any place on land —

- (a) the occupier of that place; or