

Prevention of Pollution of the Sea (Oil) (Amendment) Regulations 2000

Table of Contents

Enacting Formula

1 Citation and commencement

2 Amendment of regulation 6

3 Amendment of First Schedule

4 Deletion and substitution of Appendix II of First Schedule

No. S 41

PREVENTION OF POLLUTION OF THE SEA ACT

PREVENTION OF POLLUTION OF THE SEA (OIL) (AMENDMENT) REGULATIONS 2000

In exercise of the powers conferred by section 34 of the Prevention of Pollution of the Sea Act, the Maritime and Port Authority of Singapore, with the approval of the Minister for Communications and Information Technology, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Prevention of Pollution of the Sea (Oil) (Amendment) Regulations 2000 and shall come into operation on 3rd February 2000.

Amendment of regulation 6

2. Regulation 6(1) of the Prevention of Pollution of the Sea (Oil) Regulations (Rg 1) (referred to in these Regulations as the principal Regulations) is amended —

(a) by deleting “4(3)(e)”, “6(1)” and “8(2)” in the 3rd line; and

- (b) by inserting, immediately after “8(3),” in the 3rd line, “8(4), 8(5), 8(6), 8(7), 8(9)(c),”.

Amendment of First Schedule

3. The First Schedule to the principal Regulations is amended —

- (a) by inserting, immediately after paragraph (31) of Regulation 1, the following paragraph:

“(32) “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.”;

- (b) by deleting Regulations 4, 5, 6, 7 and 8 and substituting the following Regulations:

“REGULATION 4

SURVEYS

(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 the 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 organisations recognised by it.

- (b) An Administration nominating surveyors or recognising organisations to conduct surveys as set forth in sub-paragraph (a) of this paragraph shall, as a minimum, empower any nominated surveyor or recognised organisation 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 Organisation of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognised organisations, for circulation to Parties to the present Protocol for the information of their officers.

- (c) When a nominated surveyor or recognised organisation 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 organisation 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 recognised organisation has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organisation 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 recognised organisation 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 recognised organisation shall ascertain that such report has been made.

Issue or Endorsement of Certificate

(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 person or organisation duly authorised 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.39(29), 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 OR ENDORSEMENT OF CERTIFICATE BY ANOTHER GOVERNMENT

(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 authorise the issue of an International Oil Pollution Prevention Certificate to the ship, and where appropriate, endorse or authorise 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 International Oil Pollution Prevention Certificate shall be drawn up in