

Prevention of Pollution of the Sea (Oil Pollution Preparedness, Response and Co-operation) Regulations

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Legislative History

PREVENTION OF POLLUTION OF THE SEA ACT (CHAPTER 243, SECTION 34)

PREVENTION OF POLLUTION OF THE SEA (OIL POLLUTION PREPAREDNESS, RESPONSE AND CO-OPERATION) REGULATIONS

Rg 5

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Citation

1. These Regulations may be cited as the Prevention of Pollution of the Sea (Oil Pollution Preparedness, Response and Co-operation) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“GT” means gross tonnage;

“Marine Emergency Action Procedure” means the national plan for pollution emergencies prepared by the Authority;

“offshore installation” means any fixed or floating offshore installation or structure engaged in gas or oil exploration or production activities, or loading or unloading of oil;

“oil handling facility” means any facility which presents a risk of an oil pollution incident and includes an oil terminal, pipeline, shipyard and cargo terminal, but does not include an offshore installation;

“oil pollution emergency plan” means a contingency plan (other than the Marine Emergency Action Procedure) setting out arrangements for responding to incidents which cause or may cause marine pollution by oil, with a view to preventing such pollution or reducing or minimising its effect;

“oil pollution incident” means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of Singapore, and which requires emergency action or other immediate response;

“operator”, in relation to an oil handling facility or an offshore installation, means a person having, for the time being, the management of such facility or installation in Singapore;

“owner”, in relation to a tug boat, includes any person who —

- (a) is the joint or part owner of a tug boat;
- (b) has possession or control of a tug boat which is subject to the terms of a hire-purchase agreement, bill of sale or other similar instrument;
or
- (c) has possession or control of a tug boat under the terms of a charter agreement,

but does not include any person who is the owner of a tug boat which is subject to the terms of a hire-purchase agreement, bill of sale or other similar instrument if that person is not entitled to possession of the tug boat;

“tug boat” means a tug boat licensed under the provisions of the Maritime and Port Authority of Singapore (Harbour Craft) Regulations (Rg 3) and which is constructed of steel and has an engine power of 750 kilowatts or more.

PART I

DISPERSANTS AND EQUIPMENT

Application of this Part

3.—(1) This Part shall apply to —

- (a) the operators of oil handling facilities or offshore installations who have

not been exempted under paragraph (2); and

(b) the owners of tug boats.

(2) The Port Master may by notice exempt the operator of any oil handling facility or offshore installation from the provisions of this Part.

Dispersants

4.—(1) The operator of an oil handling facility or offshore installation shall at all times keep a stock of not less than 10,000 litres of readily usable dispersants which comply with the specifications set out in the First Schedule.

(2) The operator shall keep the dispersants at the facility or installation in such a manner as to be readily accessible to the operator and the Authority.

(3) The owner of a tug boat shall at all times keep a stock of not less than 400 litres of readily usable dispersants which comply with the specifications set out in the First Schedule.

(4) The owner shall keep the dispersants on board the tug boat in such a manner as to be readily accessible to the owner and the Authority.

(5) The operator or owner shall, when so required by the Authority, submit samples of dispersants kept under this regulation for testing and certification.

(6) All costs incurred in connection with the testing and certification of dispersants shall be borne by the operator or owner, as the case may be.

(7) No person shall use any dispersant which does not comply with the specifications set out in the First Schedule for the purpose of eliminating or reducing any oil pollution.

Equipment

5.—(1) The operator of an oil handling facility or offshore installation shall at all times maintain at the facility or installation the items of equipment specified in the Second Schedule.

(2) The owner of a tug boat shall at all times maintain on board the tug boat the items of equipment specified in the Third Schedule.

Assistance to Authority

6.—(1) In the event of an oil pollution incident, the operator of an oil handling facility or offshore installation shall, upon the request of the Authority, provide to the Authority the dispersants and equipment kept under regulations 4(1) and 5(1),

respectively.

(2) In the event of an oil pollution incident, the owner of a tug boat shall, upon the request of the Authority, provide to the Authority, the dispersants and equipment kept under regulations 4(3) and 5(2), respectively.

(3) The operator or owner shall render such assistance and services as may be required by the Authority for eliminating or reducing the oil pollution.

(4) The Authority shall reimburse the operator or owner such amounts and on such terms as the Authority and the operator or owner (as the case may be) may have agreed or may agree from time to time for the dispersants, equipment and services provided.

(5) If the Authority and the operator or owner are unable to agree on the amounts or the terms, the matter shall be referred to the Minister whose decision shall be final, and the Authority shall reimburse the operator or owner in accordance with the decision.

PART II

OIL POLLUTION EMERGENCY PLANS AND REPORTING OF OIL POLLUTION INCIDENTS

Application of this Part

7. This Part shall apply to —

- (a) oil terminals, offering berths alongside, on buoys or at anchor, to ships;
- (b) shipyards and cargo terminals, offering berths alongside, on buoys or at anchor, to ships of over 400 GT or oil tankers of over 150 GT, and carrying out oil transfers from ship to ship or oil transfers within a ship;
- (c) any oil handling facility or offshore installation, in respect of which the Port Master has served the operator with a notice stating that he is of the opinion that maritime activities are undertaken at that facility or installation which involve a significant risk of discharge of oil; and
- (d) any oil handling facility or offshore installation in respect of which the Port Master has served the operator with a notice stating that he is of the opinion that it is located in an area of significant environmental sensitivity, or in an area where a discharge of oil or other substances could cause significant economic damage.

Oil pollution emergency plans

8.—(1) Every —