

## **INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION OF THE SEA BY OIL**

Note: The Convention was concurred on by the Senate, SR. No. 70, May 10, 1965. The Philippine instrument of ratification was signed by the President, October 11, 1965.

1. Upon the request of the Governments of Denmark, Ireland, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, being parties to the International Convention for the Prevention of Pollution of the Sea by- Oil, 1954, a Conference was convened at London from 4 April to 11 April 1962, in accordance with the provisions of paragraph {3} of Article XVI of the said Convention, for the purpose of considering and adopting amendments to the Convention.

2. The Governments of the following countries accredited Representatives to the Conference;

Belgium	Kuwait
Canada	Netherlands
Denmark	Norway
Finland	Poland
France	Sweden
Federal Republic of Germany	United Kingdom of Great
Ireland	Britain and Northern Ireland
	United States of America

3. The Governments of the following countries, having accepted the Convention but in respect of which the Convention has not yet come into force, had Observers at the Conference:

Iceland Liberia

4. Admiral Alfredo C. Richmond (United States of America) was elected President of the Conference, and Captain Neuberth Wie (Norway) Vice-President. The Secretariat of the Conference was provided by the Inter-Governmental Maritime Consultative Organization under the direction of Mr. William Graham, Acting Secretary-General

5. A Committee on Credentials was constituted under the Chairmanship of Baron de Gerlache de Gomery (Belgium) and reported on the credentials of Delegates of the Contracting Governments represented.

6. The Conference considered amendments proposed by Contracting Governments and related to the provisions of Articles I, II, III, IV, V, VI, VII, VIII, IX, X, XIV, XVI and XVIII and 10 Annexes A and B of the International Convention for the Prevention of Pollution of the Sea by Oil,

7. The Conference duly adopted each of the amendments to the Convention and requested the Inter-Governmental Maritime Consultative Organization, in accordance with the provisions of Article XVI paragraph {3} of the Convention, to communicate the amendments to the Contracting Governments for their acceptance. The amendments are annexed to this Final Act.

8. The Conference agreed to recommend to the Contracting Governments that the above-mentioned amendments should be accepted by Contracting Governments at the earliest practicable date.

9. The Conference further agreed forthwith to inform the International Conference on Prevention of Pollution of the Sea by Oil, 1962, of the decisions which had been reached.

In witness whereof the Delegates have signed this Final Act

Done at London this eleventh day of April one thousand nine hundred and sixty-two in a single copy in the English and French languages, both texts being equally authentic. The original texts will 'be deposited in the archives of the Secretariat of the Inter-Governmental Maritime Consultative Organization which will send certified copies of this Final Act to each of the Governments invited to be represented at this Conference.

**ALFRED C. RICHMOND**

President

**W. GRAHAM**

Acting Secretary-General

For the Government of Belgium:

R. VANCRAEYNEST  
P. De GERLACHE De GOMERY  
J. Van LEEUW

For the Government of Canada:

ALAN CUMYN  
K. C. ANGUS  
C. K. KENNEDY

For the Government of Denmark:

H. JUUL SVEN LUNDDAHL

For the Government of the  
Netherlands:

J. METZ  
K. M. THOMSON

For the Government of Finland:

ALLAN RELANDER

For the Government of Norway:

NEUBERTH WIE

For the Government of France:

G. GRANDVAL  
J. ROULLIER

For the Government of Poland:

W. WISNIEWSKI

For the Government of the  
Federal Republic of Germany:

K. SCHUBERT

For the Government of Sweden:

GUNNAR HAGGLOF  
G. LINDENCRONA

For the Government  
of Ireland:

M. A. HAYES  
KEVIN MANGAN

For the Government of the United  
Kingdom of Great Britain  
and Northern Ireland:

D. C. HASELGROVE  
H. GILLENDER  
F. C. HAMPDEN

For the Government of Kuwait:  
HAMAD AHMAD BAHAR

For the Government of the United  
States of America:  
ALFRED C. RICHMOND  
JOHN W. MANN

### **ANNEX**

The following are the amendments to the International Convention for the  
Prevention of Pollution of the Sea by Oil, 1954:

1. The existing text of Article I of the Convention is replaced by the following:

### **ARTICLE I**

(1) For the purposes of the present Convention, the following expressions shall  
(unless the context otherwise requires) have the meanings hereby respectively  
assigned to them, that is to say:

'The Bureau' has the meaning assigned to it by Article XXI;

'Discharge' in relation to oil or to oily mixture means any discharge or  
escape howsoever caused;

'Heavy diesel oil' means marine diesel oil, other than those distillates of  
which more than 50 per cent by volume distils at a temperature not  
exceeding 340°C. when tested by A.S.T.M. Standard Method D.86/59;

'Mile' means a nautical mile of 6,080 feet or 1,852 metres; 'Oil' means  
crude oil, fuel oil, heavy diesel oil and lubricating oil, and 'oily' shall be  
construed accordingly;

'Oily mixture' means a mixture with an oil content of 100 parts or more  
in 1,000,000 parts of the mixture;

'Organization' means the Inter-Governmental Maritime Consultative  
Organization;

'Ship' means any sea-going vessel of any type whatsoever, including  
floating craft, whether self-propelled or towed by another vessel, making  
a sea voyage; and 'tanker' means a ship in which the greater part of the  
cargo space is constructed or adapted for the carriage of liquid cargoes in

bulk and which is not, for the time being, carrying a cargo other than oil in that part of its cargo space.

(2) For the purposes of the present Convention, the territories of a Contracting Government mean the territory of the country of which it is the Government and any other territory for the international relations of which it is responsible and to which the Convention shall have been extended under Article XVIII.

2. The existing text of Article II of the Convention is replaced by the following:

## **ARTICLE II**

(1) The present Convention shall apply to ships registered in any of the territories of a Contracting Government and to unregistered ships having the nationality of a Contracting Party, except:

(a) tankers of under 150 tons gross tonnage and other ships of under 500 tons gross tonnage, provided that each Contracting Government will take the necessary steps, so far as is reasonable and practicable, to apply the requirements of the Convention to such ships also, having regard to their size, service and the type of fuel used for their propulsion;

(b) ships for the time being engaged in the whaling industry when actually employed on whaling operations;

(c) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of St. Lambert Lock at Montreal in the Province of Quebec, Canada;

(d) naval ships and ships for the time being used as naval auxiliaries.

(2) Each Contracting Government undertakes to adopt appropriate measures ensuring that requirements equivalent to those of the present Convention are, so far as is reasonable and practicable, applied to the ships referred to in sub-paragraph (d) of paragraph (1) of this Article.

3. The existing text of Article III of the Convention is replaced by the following:

## **ARTICLE III**

Subject to the provisions of Articles IV and V:

(a) the discharge from a tanker to which the present Convention applies, within any of the prohibited zones referred to in Annex A to the Convention, of oil or oily mixture shall be prohibited;

(b) the discharge from a ship to which the present Convention applies, other than a tanker, of oil or oily mixture shall be made as far as practicable from land. As from a date three-years after that on which the Convention comes into force for the relevant territory in respect of the ship in accordance with paragraph (1) of Article II, sub-paragraph (a) of this Article shall apply to a ship other than a tanker, except that the discharge of oil or of oily mixture from such a ship shall not be prohibited

when the ship is proceeding to a port not provided with such facilities for ships other than tankers as are referred to in Article VIII;

(c) the discharge from a ship of 20,000 tons gross tonnage or more, to which the present Convention applies and for which the building contract is placed on or after the date on which this provision comes into force, of oil or only mixture shall be prohibited. However, if, in the opinion of the master, special circumstances make it neither reasonable nor practicable to retain the oil or oily mixture on board, it may be discharged outside the prohibited Zones referred to in Annex A to the Convention. The reasons for such discharge shall be reported to the Contracting Government of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II. Full details of such discharges shall be reported to the Organization at least every twelve months by Contracting Governments,

4. The existing text of Article IV of the Convention is replaced by the following:

#### **ARTICLE IV**

Article III shall not apply to:

(a) the discharge of oil or of oily mixture from a ship for the purpose of securing the safety of a ship, preventing damage to a ship or cargo, or saving life at sea;

(b) the escape of oil or oily mixture resulting from damage to a ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimizing the escape;

(c) the discharge of residue arising from the purification or clarification of fuel oil or lubricating oil, provided that such discharge is made as far from land as is practicable.

5. The existing text of Article V of the Convention is replaced by the following:

#### **ARTICLE V**

Article III shall not apply to the discharge from the bilges of a ship:

(a) during the period of twelve months following the date on which the present Convention comes into force for the relevant territory in respect of the ship in accordance with paragraph (1) of Article II, of oily mixture;

(b) after the expiration of such period, of oily mixture containing no oil other than lubricating oil which has drained or leaked from machinery spaces.

6. The existing text of Article VI of the Convention is replaced by the following:

#### **ARTICLE VI**

(1) Any contravention of Articles III and IX shall be an offence punishable under the law of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II.