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PREVENTION OF POLLUTION OF THE SEA ACT (CHAPTER 243)

PREVENTION OF POLLUTION OF THE SEA (GARBAGE) (AMENDMENT) REGULATIONS 2018

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 Transport, makes the following Regulations:

Citation and commencement

1. These Regulations are the Prevention of Pollution of the Sea (Garbage) (Amendment) Regulations 2018 and come into operation on 1 March 2018.

Amendment of First Schedule

2. The First Schedule to the Prevention of Pollution of the Sea (Garbage) Regulations 2012 (G.N. No. S 663/2012) is amended —

- (a) by deleting the words “taking into account guidelines developed by the Organization” in paragraph 1.3 of regulation 4 and substituting the words “in accordance with the criteria set out in Appendix I of this Annex”;
- (b) by renumbering paragraph 3 of regulation 4 as paragraph 4 of that regulation, and by inserting immediately before that paragraph the following paragraph:

“3. Solid bulk cargoes as defined in regulation VI/1-1.2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974*, as amended, other than grain, shall be classified in accordance with Appendix I of this Annex, and declared by the shipper as to whether or not they are harmful to the marine environment.

* Paragraph (b) of regulation 1-1 of Chapter VI of the Merchant Shipping (Safety Convention) Regulations (Cap. 179, Rg 11).”;

(c) by deleting subparagraphs 1 to 4 of regulation 6.1.2 and substituting the following subparagraphs:

- “.1 Cargo residues contained in hold washing water do not include any substances classified as harmful to the marine environment according to the criteria set out in Appendix I of this Annex;
- .2 Solid bulk cargoes as defined in regulation VI/1-1.2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974*, as amended, other than grain, shall be classified in accordance with Appendix I of this Annex, and declared by the shipper as to whether or not they are harmful to the marine environment[†];
- .3 Cleaning agents or additives contained in hold washing water do not include any substances classified as harmful to the marine environment taking into account guidelines developed by the Organization;
- .4 Both the port of departure and the next port of destination are within the special area and the ship will not transit outside the special area between those ports;
- .5 No adequate reception facilities are available at those ports taking into account guidelines developed by the Organization; and
- .6 Where the conditions of subparagraphs 2.1 to 2.5 of this paragraph have been fulfilled, discharge of cargo hold washing water containing residues shall be made as far as practicable from the nearest land or the nearest ice shelf and not less than 12 nautical miles from the nearest land or the nearest ice shelf.

* Paragraph (b) of regulation 1-1 of Chapter VI of the Merchant Shipping (Safety Convention) Regulations (Cap. 179, Rg 11).

† For ships engaged in international voyages, reference is made to section 4.2.3 of the International Maritime Solid Bulk Cargoes (IMSBC) Code; for ships not engaged in international voyages, other means of declaration may be used, as determined by the Administration.”;

(d) by deleting the words “the appendix” in paragraph 3 of regulation 10 and substituting the words “Appendix II”;

(e) by deleting subparagraphs 2, 3 and 4 of regulation 10.3 and substituting the following subparagraphs:

- “2 The entry for each discharge into the sea under regulation 4, 5 or 6 of this Annex or section 5.2 of chapter 5 of part II-A of the Polar Code shall include date and time, position of the ship (latitude and longitude), category of the garbage and the estimated amount (in cubic metres) discharged. For discharge of cargo residues the discharge start and stop positions shall be recorded in addition to the foregoing;
- .3 The entry for each completed incineration shall include date and time and position of the ship (latitude and longitude) at the start and stop of incineration, categories of garbage incinerated and the estimated amount incinerated for each category in cubic metres;
- .4 The entry for each discharge to a port reception facility or another ship shall include date and time of discharge, port or facility or name of ship, categories of garbage discharged, and the estimated amount discharged for each category in cubic metres;
- .5 The Garbage Record Book, along with receipts obtained from reception facilities, shall be kept on board the ship or the fixed or floating platform, and in such a place as to be readily available for inspection at all reasonable times. This document shall be preserved for a period of at least 2 years from the date of the last entry made in it;
- .6 In the event of any discharge or accidental loss referred to in regulation 7 of this Annex, an entry shall be made in the Garbage Record Book, or in the case of any ship of less than 400 gross tonnage, an entry shall be made in the ship’s official log-book of the date and time of occurrence, port or position of the ship at time of occurrence (latitude, longitude and water depth if known), the reason for the discharge or loss, details of the items discharged or lost, categories of garbage discharged or lost, estimated amount for each category in cubic metres, reasonable precautions taken to prevent or minimize such discharge or accidental loss, and general remarks.”;

(f) by inserting, immediately after regulation 14, the following Appendix:

“APPENDIX I

CRITERIA FOR THE CLASSIFICATION OF SOLID
BULK CARGOES AS HARMFUL TO THE MARINE
ENVIRONMENT

For the purpose of this Annex, cargo residues are considered to be harmful to the marine environment (HME) if they are residues of solid bulk cargoes which are classified according to the criteria of the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) meeting the following parameters¹:

- .1 Acute Aquatic Toxicity Category 1; and/or
- .2 Chronic Aquatic Toxicity Category 1 or 2; and/or
- .3 Carcinogenicity² Category 1A or 1B combined with not being rapidly degradable and having high bioaccumulation; and/or
- .4 Mutagenicity² Category 1A or 1B combined with not being rapidly degradable and having high bioaccumulation; and/or
- .5 Reproductive Toxicity² Category 1A or 1B combined with not being rapidly degradable and having high bioaccumulation; and/or
- .6 Specific Target Organ Toxicity Repeated Exposure² Category 1 combined with not being rapidly degradable and having high bioaccumulation; and/or
- .7 Solid bulk cargoes containing or consisting of synthetic polymers, rubber, plastics, or plastic feedstock pellets (this includes materials that are shredded, milled, chopped or macerated or similar materials).

¹ The criteria are based on UN GHS. For specific products (e.g. metals and inorganic metal compounds) guidance available in UN GHS annexes 9 and 10 is essential for proper interpretation of the criteria and classification, and should be followed.

² Products that are classified for Carcinogenicity, Mutagenicity, Reproductive Toxicity or Specific Target Organ Toxicity Repeated Exposure for oral and dermal hazards or without specification of the exposure route in the hazard statement.”;

(g) by deleting paragraph 3 (including footnote 4) of the existing Appendix and substituting the following paragraph:

“3 Description of the garbage

Garbage is to be grouped into categories for the purposes of recording in Parts I and II of the Garbage Record Book (or ship’s official log-book) as follows:

Part I

- A Plastics
- B Food wastes
- C Domestic wastes
- D Cooking oil
- E Incinerator ashes
- F Operational wastes
- G Animal carcasses
- H Fishing gear
- I E-waste

Part II

- J Cargo residues (non-HME)
- K Cargo residues (HME)”;