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PREVENTION OF POLLUTION OF THE SEA ACT (CHAPTER 243)

PREVENTION OF POLLUTION OF THE SEA (AIR) (AMENDMENT NO. 2) REGULATIONS 2012

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, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Prevention of Pollution of the Sea (Air) (Amendment No. 2) Regulations 2012 and shall come into operation on 1st January 2013.

Amendment of regulation 5

2. Regulation 5(2) of the Prevention of Pollution of the Sea (Air) Regulations 2005 (G.N. No. S 134/2005) is amended by deleting the words “regulation 6” and substituting the words “regulations 6 and 20”.

Amendment of First Schedule

3. The First Schedule to the Prevention of Pollution of the Sea (Air) Regulations 2005 is amended —

- (a) by deleting the words “and 18” in regulation 1 and substituting the words “, 18, 19, 20, 21, 22 and 23.”;
- (b) by deleting paragraph 21 of regulation 2 and substituting the following paragraphs:

“21 Tanker in relation to regulation 15 means an oil tanker as defined in regulation 1 of Annex I or a chemical tanker as defined in regulation 1 of Annex II of the present Convention.

For the purpose of Chapter IV:

22 “Existing ship” means a ship which is not a new ship.

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- 23 “New ship” means a ship:
- .1 for which the building contract is placed on or after 1 January 2013; or
 - .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after 1 July 2013; or
 - .3 the delivery of which is on or after 1 July 2015.
- 24 “Major Conversion” means in relation to Chapter IV a conversion of a ship:
- .1 which substantially alters the dimensions, carrying capacity or engine power of the ship; or
 - .2 which changes the type of the ship; or
 - .3 the intent of which in the opinion of the Administration is substantially to prolong the life of the ship; or
 - .4 which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the present Convention not applicable to it as an existing ship; or
 - .5 which substantially alters the energy efficiency of the ship and includes any modifications that could cause the ship to exceed the applicable required EEDI as set out in regulation 21.
- 25 “Bulk carrier” means a ship which is intended primarily to carry dry cargo in bulk, including such types as ore carriers as defined in SOLAS Chapter XII, regulation 1, but excluding combination carriers.
- 26 “Gas carrier” means a cargo ship constructed or adapted and used for the carriage in bulk of any liquefied gas.
- 27 “Tanker” in relation to Chapter IV means an oil tanker as defined in MARPOL Annex I, regulation 1 or a chemical tanker or an NLS tanker as defined in MARPOL Annex II, regulation 1.
- 28 “Container ship” means a ship designed exclusively for the carriage of containers in holds and on deck.
- 29 “General cargo ship” means a ship with a multi-deck or single deck hull designed primarily for the carriage of general cargo. This definition excludes specialized dry cargo ships, which are not included in the calculation of reference lines for general cargo ships, namely livestock carrier, barge carrier, heavy load carrier, yacht carrier, nuclear fuel carrier.
- 30 “Refrigerated cargo carrier” means a ship designed exclusively for the carriage of refrigerated cargoes in holds.
- 31 “Combination carrier” means a ship designed to load 100% deadweight with both liquid and dry cargo in bulk.

32 “Passenger ship” means a ship which carries more than 12 passengers.

33 “Ro-ro cargo ship (vehicle carrier)” means a multi deck roll-on-roll-off cargo ship designed for the carriage of empty cars and trucks.

34 “Ro-ro cargo ship” means a ship designed for the carriage of roll-on-roll-off cargo transportation units.

35 “Ro-ro passenger ship” means a passenger ship with roll-on-roll-off cargo spaces.

36 “Attained EEDI” is the EEDI value achieved by an individual ship in accordance with regulation 20 of Chapter IV.

37 “Required EEDI” is the maximum value of attained EEDI that is allowed by regulation 21 of Chapter IV for the specific ship type and size.”;

(c) by deleting paragraphs 1 and 2 of regulation 5 and substituting the following paragraphs:

“1 Every ship of 400 gross tonnage and above and every fixed and floating drilling rig and other platforms shall to ensure compliance with Chapter III be subject to the surveys specified below:

- .1 An initial survey before the ship is put into service or before the certificate required under regulation 6 of this Annex is issued for the first time. This survey shall be such as to ensure that the equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of Chapter III;
- .2 A renewal survey at intervals specified by the Administration, but not exceeding five years, except where regulation 9.2, 9.5, 9.6 or 9.7 of this Annex is applicable. The renewal survey shall be such as to ensure that the equipment, systems, fittings, arrangements and material fully comply with applicable requirements of Chapter III;
- .3 An intermediate survey within three months before or after the second anniversary date or within three 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 1.4 of this regulation. The intermediate survey shall be such as to ensure that the equipment and arrangements fully comply with the applicable requirements of Chapter III and are in good working order. Such intermediate surveys shall be endorsed on the IAPP Certificate issued under regulation 6 or 7 of this Annex;

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- .4 An annual survey within three months before or after each anniversary date of the certificate, including a general inspection of the equipment, systems, fittings, arrangements and material referred to in paragraph 1.1 of this regulation to ensure that they have been maintained in accordance with paragraph 5 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 IAPP Certificate issued under regulation 6 or 7 of this Annex; and
 - .5 An additional survey either general or partial, according to the circumstances, shall be made whenever any important repairs or renewals are made as prescribed in paragraph 5 of this regulation or after a repair resulting from investigations prescribed in paragraph 6 of this regulation. 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 Chapter III.

2 In the case of ships of less than 400 gross tonnage, the Administration may establish appropriate measures in order to ensure that the applicable provisions of Chapter III are complied with.”;

(d) by inserting, immediately after paragraph 3 of regulation 5, the following paragraph:

“4 Ships to which Chapter IV applies shall also be subject to the surveys specified below, taking into account Guidelines adopted by the Organization[†]:

[†]Refer to Guidelines on Survey and Certification of the Energy Efficiency Design Index.

- .1 An initial survey before a new ship is put in service and before the International Energy Efficiency Certificate is issued. The survey shall verify that the ship’s attained EEDI is in accordance with the requirements in Chapter IV, and that the SEEMP required by regulation 22 is on board;
- .2 A general or partial survey, according to the circumstances, after a major conversion of a ship to which this regulation applies. The survey shall ensure that the attained EEDI is recalculated as necessary and meets the requirement of regulation 21, with the reduction factor applicable to the ship type and size of the converted ship in the phase corresponding to the date of contract or keel laying or

delivery determined for the original ship in accordance with regulation 2.23;

- .3 In cases where the major conversion of a new or existing ship is so extensive that the ship is regarded by the Administration as a newly constructed ship, the Administration shall determine the necessity of an initial survey on attained EEDI. Such a survey, if determined necessary, shall ensure that the attained EEDI is calculated and meets the requirement of regulation 21, with the reduction factor applicable corresponding to the ship type and size of the converted ship at the date of the contract of the conversion, or in the absence of a contract, the commencement date of the conversion. The survey shall also verify that the SEEMP required by regulation 22 is on board; and
- .4 For existing ships, the verification of the requirement to have a SEEMP on board according to regulation 22 shall take place at the first intermediate or renewal survey identified in paragraph 1 of this regulation, whichever is the first, on or after 1 January 2013.”;
- (e) by renumbering the existing paragraphs 4 and 5 of regulation 5 as paragraphs 5 and 6 of that regulation, respectively;
- (f) by deleting the words “*a Certificate*” in the regulation heading of regulation 6 and substituting the word “*Certificates*”;
- (g) by inserting, immediately after the regulation heading of regulation 6, the following regulation sub-heading:

“International Air Pollution Prevention Certificate”;

- (h) by deleting the words “the date of entry into force of Annex VI for such ship’s Administration” in paragraph 2 of regulation 6 and substituting the words “the date Annex VI enters into force for that particular ship’s Administration,”;
- (i) by inserting, immediately after paragraph 3 of regulation 6, the following regulation sub-heading and paragraphs:

“International Energy Efficiency Certificate

4 An International Energy Efficiency Certificate for the ship shall be issued after a survey in accordance with the provisions of regulation 5.4 to any ship of 400 gross tonnage and above before that ship may engage in voyages to ports or offshore terminals under the jurisdiction of other Parties.