

**Prevention of Pollution of the Sea (Noxious Liquid Substances in Bulk)
(Amendment) Regulations 2000**

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No. S 42

**PREVENTION OF POLLUTION OF THE SEA ACT
(CHAPTER 243)**

**PREVENTION OF POLLUTION OF THE SEA (NOXIOUS LIQUID SUBSTANCES
IN BULK) (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 (Noxious Liquid Substances in Bulk) (Amendment) Regulations 2000 and shall come into operation on 3rd February 2000.

Amendment of Regulation 6

2. Regulation 6 of the Prevention of Pollution of the Sea (Noxious Liquid Substances in Bulk) Regulations (Rg 2) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by deleting “12 (2)” in the 6th line of paragraph (1) and substituting “12(3), 12 (4), 12 (5), 12 (6), 12 (7), 12 (9)(c)”;
- (b) by inserting, immediately after “10 (2)(c),” in the 2nd line of paragraph (4), “10 (2)(d),”; and
- (c) by deleting the words “and 11 (3)(a)” in the 2nd line of paragraph (4) and substituting the words “, 11 (3)(a), 11 (3)(b) and 11 (3)(c)”.

Amendment of First Schedule

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

- (a) by inserting, immediately after paragraph (14) of Regulation 1, the following paragraph:

“(15) “Anniversary date” means the day and the month of each year which will correspond to the date of expiry of the International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk.”;
- (b) by deleting Regulations 10, 11 and 12 and substituting the following Regulations:

THE SCHEDULE

REGULATION 10

SURVEYS

(1) Ships carrying noxious liquid substances in bulk 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 11 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 12(2), 12(5), 12(6) or 12(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 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 11 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 (3) 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 11 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 (3) 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)
- (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 Convention 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.
- (3) (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.

REGULATION 11

ISSUE OR ENDORSEMENT OF CERTIFICATE

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued, after an initial or renewal survey in accordance with the provisions of Regulation 10 of this Annex, to any ship carrying noxious liquid substances in bulk and which is engaged in voyages to ports or 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) (a) 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 Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk to the ship and, where appropriate, endorse or authorise the endorsement of that Certificate on the ship, in accordance with this Annex.

(b) A copy of the Certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

(c) 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 paragraph (1) of this Regulation.

(d) No International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

(4) The International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be drawn up in the form corresponding to the model given in Appendix V to this Annex. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(5) 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 Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk, 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 12

DURATION AND VALIDITY OF CERTIFICATE

(1) An International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk shall be issued for a period specified by the Administration which shall not exceed 5 years.

(2) (a) Notwithstanding the requirements of paragraph (1) of this Regulation, when the renewal survey is completed within 3 months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.

(b) When the renewal survey is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing Certificate.