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STATUTORY INSTRUMENTS

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**2004 No. 930**

**MERCHANT SHIPPING  
SAFETY**

**The Merchant Shipping (Dangerous or Noxious Liquid  
Substances in Bulk) (Amendment) Regulations 2004**

<i>Made</i>	- - - -	<i>25th March 2004</i>
<i>Laid before Parliament</i>		<i>29th March 2004</i>
<i>Coming into force</i>	- -	<i>20th April 2004</i>

The Secretary of State for Transport, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995(1) in exercise of the powers conferred upon him by:

- (i) article 3 of the Merchant Shipping (Prevention and Control of Pollution) Order 1987(2),
- (ii) article 2 of the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996(3), and
- (iii) sections 85(1)(a) and (b), (3), (5) to (7) and 86(1) of that Act,

and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) (Amendment) Regulations 2004 and shall come into force on 20th April 2004.

(2) In these Regulations “the principal Regulations” means the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996(4).

**Amendment of principal Regulations: Interpretation**

2.—(1) In regulation 2(1) of the principal Regulations:

- (a) after the definition of “Annex II” there shall be inserted the following:

““anniversary date” means the day and month of each year which will correspond to the date of expiry of the appropriate Certificate;

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(1) 1995 c. 21. Sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1977 (c. 28), section 8.  
(2) S.I. 1987/470, amended by S.I. 1990/2595, S.I. 1997/2569 and S.I. 1998/254.  
(3) S.I. 1996/282.  
(4) S.I. 1996/3010, amended by 1998/1153.

“appropriate Certifying Authority” means the Secretary of State or any person authorised by the Secretary of State and includes in particular (if so authorised) Lloyd’s Register of Shipping, the British Committee of Bureau Veritas, the British Committee of Det Norske Veritas, the British Committee of Germanischer Lloyd, the British Technical Committee of the American Bureau of Shipping and the British Committee of Registro Italiano Navale;”,

- (b) the definitions of “appropriate Certificate” and “appropriate Regulation” shall be deleted;
- (c) at the end of the definition of “BCH Code” there shall be inserted the words “as amended by Resolution MEPC.41(29) and Resolution MSC.18(58), Resolution MEPC.80(43) and Resolution MEPC.91(45)”,
- (d) for the definition of “BCH Code Certificate” there shall be substituted the following:
  - ““BCH Code Certificate” means a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk which certifies compliance with the requirements of the BCH Code;”,
- (e) the definition of “Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk” shall be deleted;
- (f) after the definition of “dangerous substance” there shall be inserted the following definition:
  - ““GT” means gross registered tonnage, and the gross registered tonnage of a ship having alternative gross registered tonnages shall be taken to be the larger of those tonnages;”.
- (g) in the definition of “IBC Code”:
  - (i) for “1994” there shall be substituted “1998”, and
  - (ii) at the end of the definition there shall be inserted the words “as amended by Resolution MEPC.40(29), Resolution MSC.16(58,), Resolution MEPC.79(43) and Resolution MEPC.90(45),”.
- (h) for the definition of “IBC Code Certificate” there shall be substituted the following:
  - ““IBC Code Certificate” means an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, which certifies compliance with the requirements of the IBC Code;”,
- (i) the definition of “INLS Certificate” shall be deleted;
- (j) after the definition of “IOPP Certificate” there shall be inserted the following definition:
  - ““Maritime and Coastguard Agency” means the Maritime and Coastguard Agency, an executive agency of the Department for Transport;”,
- (k) for the definition of “the MARPOL Convention” there shall be substituted the following:
  - ““the MARPOL Convention” means the International Convention for the Prevention of Pollution from Ships, 1973, including its Protocols, Annex II (but no other Annex) and appendices thereto<sup>(5)</sup>, as amended by the Protocol of 1978 to that Convention<sup>(6)</sup> and includes all the amendments adopted by the IMO up to 11th October 2002;”,
- (l) after the definition of “the MARPOL Convention” there shall be inserted the following:
  - ““Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency, and any reference to a particular Merchant Shipping Notice includes a reference to any document amending or replacing that

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(5) Cmnd. 5748.

(6) Cmnd. 7347.

Notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“NLS Certificate” means an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk which certifies compliance with Annex II;

“short international voyage” means a voyage from a port in one country to which the Convention applies to a port in another country, or conversely—

- (a) in the course of which a ship is not more than two hundred nautical miles from a port or place in which the passengers and crew could be placed in safety, and
- (b) which does not exceed 600 nautical miles in distance between the last port of call in the country in which the voyage begins and the last port of call in the scheduled voyage before beginning a return voyage, and which on the return voyage does not exceed 600 nautical miles in distance between the port of call in which the ship commences its return voyage and the first port of call in the country in which the voyage began,

and for the purposes of this definition no account shall be taken of any deviation by a ship from her intended voyage due solely to stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) of the ship could have prevented or forestalled;”

(2) In regulation 2(2) of the principal Regulations, for the words in sub-paragraph (g) onwards there shall be substituted the following:

“IMO Guidelines;

shall include any amendments to those documents adopted by the IMO which are considered by the Secretary of State to be relevant from time to time and are specified in a Merchant Shipping Notice.”.

#### **Amendment of principal Regulations: Transitional provisions**

3. After regulation 3 of the principal Regulations, there shall be inserted the following regulation:

##### **“Transitional provision**

**3A.** Except in special circumstances as determined by the Maritime and Coastguard Agency, an appropriate Certificate issued or endorsed before 20th April 2004 by:

- (a) an appropriate Certifying Authority, or
- (b) the Administration of a State which is a Party to the MARPOL Convention or the Administration of a Contracting Government to the SOLAS Convention in accordance with regulation 11 (4),

shall remain valid until it expires under the terms of these Regulations as in force before that date, and shall for any other purpose of these Regulations be treated as though it had been issued under these Regulations as amended.”.

#### **Amendment of principal Regulations: Loading and carriage in bulk of dangerous or noxious liquid substances**

4. In regulation 6(a)(i) of the principal Regulations, for the words after “that ship” there shall be substituted the words “ and that substance a valid NLS Certificate, BCH Code Certificate or IBC Code Certificate (as applicable) issued and endorsed in accordance with these Regulations;”.

## **Amendment of principal Regulations: Marine pollution emergency plan for noxious liquid substances**

5. After regulation 8 of the principal Regulations there shall be inserted the following:

### **“Marine pollution emergency plan for noxious liquid substances**

**8A.—**(1) On and after 20th April 2004 every ship of 150 GT and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances.

(2) The plan required by paragraph (1) above shall:

- (a) be approved in the case of a United Kingdom ship by the appropriate Certifying Authority for that ship, and in the case of any other ship be approved by or on behalf of the Administration of the country in which the ship is registered,
- (b) be in accordance with IMO Guidelines for the Development of Shipboard Marine Pollution Emergency Plans, IMO Publication IMO-586-E 2001 Edition,
- (c) be written in a language or languages understood by the master and officers of the ship,
- (d) consist at least of:
  - (i) the procedure to be followed by the master or other persons having charge of the ship to report a noxious liquid substance pollution incident, as required in article 8 and Protocol I of the MARPOL Convention, based on the guidelines developed by the IMO,
  - (ii) the list of authorities or persons to be contacted in the event of a noxious liquid substance pollution incident,
  - (iii) a detailed description of the action to be taken immediately by persons on board to reduce or control the discharge of noxious liquid substances following the incident, and
  - (iv) the procedures and point of contact on the ship for co-ordinating shipboard action with national and local authorities in combating the pollution.

(3) In the case of ships to which regulation 26 of Annex I to the MARPOL Convention also applies, the plan required by paragraph (1) above may be combined with the shipboard oil pollution emergency plan required under regulation 26 of Annex I to the MARPOL Convention, and in this case the title of the plan shall be “Shipboard Marine Pollution Emergency Plan.””.

## **Amendment of principal Regulations: Survey and Certification**

6. For regulations 9 to 11 of the principal Regulations, there shall be substituted the following.

### **“Surveys for NLS, IBC Code and BCH Code Certification**

**9.—**(1) Except where paragraph (2) or (3) below applies, a United Kingdom ship carrying one or more noxious liquid substances in bulk shall be subject to the following surveys:

- (a) before the ship is put in service, or before an NLS Certificate is first issued in relation to the ship, an initial survey as set out in regulation 10(1)(a) of Annex II,
- (b) within five years of the first issue of an NLS Certificate, and thereafter at intervals which, subject to the provisions of regulation 11A(3) and 11B(3) to (6), shall

- be no more than five years, a renewal survey as set out in regulation 10(1)(b) of Annex II,
- (c) within three months before or after the second or third anniversary date of an NLS Certificate being issued, an intermediate survey as set out in regulation 10(1)(c) of Annex II,
  - (d) within three months before or after each anniversary date of the issue of the ship's NLS Certificate, other than when an intermediate survey is required to be carried out within that period, an annual survey as set out in regulation 10(1)(d) of Annex II, and
  - (e) after a repair resulting from investigations prescribed in regulation 10(4), or whenever any important repairs or renewals are made, an additional survey as set out in regulation 10(1)(e) of Annex II.
- (2) A United Kingdom chemical tanker constructed in compliance with the requirements of the IBC Code shall be subject to the following surveys:
- (a) before the ship is put in service, or before an IBC Code Certificate is first issued in relation to the ship, an initial survey as set out in section 1.5.2 of the IBC Code,
  - (b) within five years of the first issue of an IBC Code Certificate, and thereafter at intervals which, subject to regulation 11A(3) and 11B (3) to (6), shall be no more than five years, a renewal survey as set out in section 1.5.2 of the IBC Code,
  - (c) within three months before or after the second or third anniversary date of an IBC Code Certificate being issued, an intermediate survey as set out in section 1.5.2 of the IBC Code,
  - (d) within three months before or after each anniversary date of the issue of the ship's IBC Code Certificate, other than when an intermediate survey is required to be carried out within that period, an annual survey as set out in section 1.5.2 of the IBC Code, and
  - (e) after a repair resulting from investigations prescribed in regulation 10(4), or whenever any important repairs or renewals are made, an additional survey as set out in section 1.5.2 of the IBC Code.
- (3) A United Kingdom chemical tanker constructed in compliance with the requirements of the BCH Code shall be subject to the following surveys:
- (a) before the ship is put in service, or before a BCH Code Certificate is first issued in relation to the ship, an initial survey as set out in section 1.6.2 of the BCH Code,
  - (b) within five years of the first issue of a BCH Code Certificate, and thereafter at intervals which, subject to regulation 11A(3) and 11(B)(3) to (6), shall be no more than five years, a renewal survey as set out in section 1.6.2 of the BCH Code,
  - (c) within three months before or after the second or third anniversary date of a BCH Code Certificate being issued, an intermediate survey as set out in section 1.6.2 of the BCH Code,
  - (d) within three months before or after each anniversary date of the issue of the ship's BCH Code Certificate, other than where an intermediate survey is required to be carried out within that period, an annual survey as set out in section 1.6.2 of the BCH Code, and
  - (e) after a repair resulting from investigations prescribed in regulation 10(4), or whenever any important repairs or renewals are made, an additional survey as set out in section 1.6.2 of the BCH Code.

### **Responsibilities of owner and master**

**10.—(1)** The owner and master of every ship shall ensure that the condition of the ship and its equipment shall be maintained to conform:

- (a) in the case of a United Kingdom ship, or any ship surveyed pursuant to these Regulations, with the provisions of these Regulations,
- (b) in the case of a non-United Kingdom ship, with the requirements of Annex II, the IBC Code or the BCH Code (as applicable),

so as to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the safety of ships or persons on them, or an unreasonable threat of harm to the marine environment.

(2) The owner and master of every ship shall ensure that after any survey of the ship required by these Regulations, or by Annex II, the IBC Code or the BCH Code (as applicable), has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the approval of the appropriate Certifying Authority, or of the Administration of the State which carried out the survey for that ship, except by direct replacement.

(3) The owner and master of every ship shall ensure that whenever an accident occurs to a ship or a defect is discovered which, in either case, substantially affects the integrity of the ship or the efficiency or completeness of its equipment:

- (a) if the ship is a United Kingdom ship, it is reported at the earliest opportunity to the Secretary of State and to any other appropriate Certifying Authority,
  - (b) if the ship is a United Kingdom ship in a port outside the United Kingdom it is also reported to the proper officer and to the appropriate authorities of the country in which the port is situated, and
  - (c) if the ship is a non-United Kingdom ship in a port in the United Kingdom, it is reported at the earliest opportunity to the Secretary of State.
- (4) Whenever an accident or defect is reported:
- (a) to the Secretary of State or a Certifying Authority under paragraph (3)(a), or
  - (b) to the proper officer under paragraph (3)(b),

the Secretary of State, Certifying Authority or proper officer shall cause investigations to be initiated to determine whether or not a survey by a surveyor is necessary, and if a survey is found to be necessary require that survey to be carried out.

### **Issue and Endorsement of Certificates**

**11.—(1)** Where the appropriate Certifying Authority is satisfied after the completion of an initial or renewal survey carried out in accordance with regulation 9(1)(a) or (b), (2)(a) or (b) or (3)(a) or (b) (as applicable) that the requirements of Annex II, the IBC Code or the BCH Code (as appropriate) are being complied with, that Authority shall issue:

- (a) where regulation 9(1)(a) or (b) applies, an NLS Certificate,
- (b) where regulation 9(2)(a) or (b) applies, an IBC Code Certificate,
- (c) where regulation 9(3)(a) or (b) applies, a BCH Code Certificate.

(2) Where the appropriate Certifying Authority is satisfied after the completion of an intermediate or annual survey in accordance with the provisions of regulation 9(1)(c) or (d), (2)(c) or (d) or (3)(c) or (d) (as applicable) that the requirements of Annex II, the IBC Code or the BCH Code (as appropriate) are being complied with, that Authority shall so endorse the applicable Certificate.

(3) If a ship which was previously under the flag of another State becomes a United Kingdom ship, an appropriate Certifying Authority shall issue:

- (a) a NLS Certificate only if it is fully satisfied that the ship is in compliance with the requirements of regulation 10(3)(a) and (b) of Annex II,
- (b) an IBC Code Certificate only if it is fully satisfied that the ship is in compliance with the requirements of section 1.5.3.1 and 1.5.3.2 of the IBC Code, and
- (c) a BCH Code Certificate only if it is fully satisfied that the ship is in compliance with the requirements of section 1.6.3.1 and 1.6.3.2 of the BCH Code.

(4) The Secretary of State may, through a proper officer or otherwise, request the Administration of a State which is a Party to the MARPOL Convention or the Administration of a Contracting Government to the SOLAS Convention to carry out a survey of a United Kingdom ship and, if satisfied that the survey has been completed in accordance with the requirements of Annex II (in the case of an NLS Certificate), section 1.5 of the IBC Code (in the case of an IBC Code Certificate) and section 1.6. of the BCH Code (in the case of a BCH Code Certificate):

- (a) to issue or authorise the issue of an NLS Certificate, an IBC Code Certificate or a BCH Code Certificate, as appropriate, to the ship, or to endorse or authorise the endorsement of such a Certificate in accordance with the requirements of the relevant Annex or Code,
- (b) to include in the Certificate a statement to the effect that it has been issued at the request of the Secretary of State, and
- (c) to transmit a copy of the survey report and the Certificate to the Secretary of State as soon as possible.

(5) A Certificate issued or endorsed in accordance with paragraph (4) above shall have the same force and receive the same recognition as a Certificate issued or endorsed in accordance with paragraphs (1) to (3) above.

(6) The Secretary of State may, at the request of the Administration of a Party to the MARPOL Convention, survey a ship registered in that State and, if satisfied that the requirements of the Annex II of that Convention are complied with, issue or authorise the issue to the ship of an NLS Certificate, or endorse or authorise the endorsement of such a Certificate.

(7) The Secretary of State may, at the request of the Administration of a Party to the SOLAS Convention, survey a ship registered in that State and, if satisfied that the requirements of the IBC Code are complied with, issue or authorise the issue to the ship of an IBC Certificate or endorse or authorise the endorsement of such a Certificate.

(8) The Secretary of State may, at the request of the Administration of a Party to the SOLAS Convention, survey a ship registered in that State and, if satisfied that the requirements of the BCH Code are complied with, issue or authorise the issue to the ship of a BCH Certificate or endorse or authorise the endorsement of such a Certificate.

(9) The Secretary of State shall include or have included in any Certificate issued or endorsed in accordance with paragraph (6), (7) or (8) above a statement to the effect that it has been issued or endorsed at the request of the Administration, and shall transmit a copy of the survey report and the Certificate to that Administration as soon as possible.

(10) A certificate issued or endorsed in accordance with paragraph (6), (7) or (8) above shall have effect as if issued or endorsed by the Administration which requested the survey of the ship to be carried out.

(11) A Certificate issued or endorsed in accordance with paragraphs (1) to (3) and (6) to (10) above shall be drawn up in a form corresponding:

- (a) in the case of an NLS Certificate to the model given in Appendix V to Annex II,
- (b) in the case of an IBC Code Certificate, to the model given in the appendix to Resolution MSC.16(58),
- (c) in the case of a BCH Code Certificate, to the model given in the appendix to Resolution MSC.18.(58).

### **Duration and validity of Certificates**

**11A.**—(1) Subject to paragraphs (2) to (5) below, an NLS Certificate, IBC Code Certificate or BCH Code Certificate shall be issued:

- (a) on the date of the completion of the relevant survey,
- (b) as being valid from the date of issue, and
- (c) for a period of validity not exceeding five years.

(2) Where a renewal survey required under regulation 9(1)(b), 9(2)(b) or 9(3)(b) has been completed within a period of three months before the expiry of the existing Certificate, the new Certificate shall be issued for a period of validity not exceeding five years from the date of expiry of the existing Certificate.

(3) Subject to regulation 11B(6), where a renewal survey required under regulation 9(1)(b), 9(2)(b) or 9(3)(b) has been completed after the expiry of an NLS Certificate, IBC Code Certificate or BCH Code Certificate, the new Certificate shall be issued as being valid from the date of expiry of the existing Certificate.

(4) Where an annual or intermediate survey is completed before the period prescribed for such a survey in regulation 9(1)(c) or (d), (2)(c) or (d) or (3)(c) or (d):

- (a) the anniversary date shown on the NLS Certificate, IBC Code Certificate or BCH Code Certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed,
- (b) subsequent annual or intermediate surveys required under regulation 9(1)(c) or (d), (2)(c) or (d) or (3)(c) or (d) shall be completed at the intervals prescribed by those regulations using the new anniversary date, and
- (c) the expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 9 are not exceeded.

(5) An NLS Certificate, IBC Code Certificate or BCH Code Certificate shall cease to be valid:

- (a) if its period of validity has been exceeded and the Certificate has not been extended by the Certifying Authority in accordance with regulation 11B or the period of any such extension has expired,
- (b) if the relevant surveys have not been completed within the periods specified in regulation 9, and the Certificate endorsed in accordance with regulation 11, or
- (c) upon transfer of the ship to the flag of another State.

### **Extension of validity of Certificates**

**11B.**—(1) Where an NLS Certificate, IBC Code Certificate or BCH Code Certificate has been issued for a period of validity of less than five years and the surveys required under regulation 9(1)(c) and (d), (2)(c) or (d) or (3)(c) or (d) (as applicable) have been completed, the appropriate Certifying Authority may extend the validity of that Certificate so that the certificate is valid for a maximum period of five years.



(2) Where a renewal survey required under regulation 9(1)(b), (2)(b) or (3)(b) has been completed before the expiry of an NLS Certificate, IBC Code Certificate or BCH Code Certificate (as applicable) but the new Certificate cannot be issued or placed on board the ship before the expiry of the existing Certificate, the appropriate Certifying Authority may endorse the existing Certificate as valid for a period not exceeding five months from the expiry date of the existing Certificate.

(3) Where a renewal survey required under regulation 9(1)(b), (2)(b) or (3)(b) has not been completed before the expiry of an NLS Certificate, IBC Code Certificate or BCH Code Certificate (as applicable) and at the time of expiry the ship is not in a port in which it is to be surveyed, the appropriate Certifying Authority may, where it appears to it proper and reasonable to do so, extend the validity of the Certificate, solely for the purpose of allowing the ship to complete its voyage to its port of survey, for a period of no more than three months.

(4) Where no other extension has been granted, the appropriate Certifying Authority may extend the validity of the NLS Certificate, IBC Code Certificate or BCH Code Certificate (as applicable) of a ship used solely on short international voyages for a period of no more than one month.

(5) An extension of validity under paragraph (3) or (4) above, shall be disregarded for the purposes of determining the date of expiry of an existing NLS Certificate, IBC Code Certificate or BCH Code Certificate (as applicable) in accordance with regulation 11A(2) or (3).

(6) In special circumstances as determined by the Maritime and Coastguard Agency, where a renewal survey required under regulation 9(1)(b), 9(2)(b) or 9(3)(b):

- (a) has been completed after the expiry of the NLS Certificate, IBC Code Certificate or BCH Code Certificate (as appropriate),
- (b) has been completed during the period for which the validity of the NLS Certificate, IBC Code Certificate or BCH Code Certificate (as appropriate) has been extended in accordance with paragraph (3) above, or
- (c) has been completed during the period for which the validity of the NLS Certificate, IBC Code Certificate or BCH Code Certificate (as appropriate) has been extended in accordance with paragraph (4) above,

the new Certificate may be issued as being valid from the date of the completion of the renewal survey.”.

## **Power to detain**

7. For regulation 15(3) (Inspection and detention) of the principal Regulations, there shall be substituted:

- “(3) In any case where:
- (a) a ship does not comply with the requirements of these Regulations,
  - (b) the steps to be taken by an inspector under paragraph (2) involve detention of the ship,
  - (c) an accident occurs to a non-United Kingdom ship, or a defect is discovered in a non-United Kingdom ship, either of which substantially affects the integrity of the ship or the efficiency or completeness of its equipment, and a full and proper report of that accident or defect has not been made to the appropriate authority for that ship, or
  - (d) within a reasonable period of a report being made of an accident to or defect in a non-United Kingdom ship the Secretary of State is not satisfied that action taken

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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as respects that ship is sufficient to restore the integrity of the ship or the efficiency or completeness of its equipment,

the ship shall be liable to be detained and section 284(1) to (6) and (8) of the Merchant Shipping Act 1995<sup>(7)</sup> (which relates to the detention of a ship) shall have effect in relation to that ship, as if for the words “this Act” wherever they appear, there were substituted the words “the Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996”.

Signed on behalf of the Secretary of State for Transport

25th March 2004

*David Jamieson*  
Parliamentary Under Secretary of State,  
Department for Transport

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(7) Section 284 was amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), Schedule 1, paragraph 5.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement amendments to:

- (a) Annex II of the International Convention for the Prevention of Pollution at Sea 1973 as amended by its Protocol of 1978 (“MARPOL 73/78”),
- (b) the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (“the IBC Code”), and
- (c) the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (“the BCH Code”)

which harmonise the survey and certification requirements of those agreements with the requirements of the International Convention for the Safety of Life at Sea 1974 (SOLAS).

In addition, regulation 6 of these Regulations implements amendments to MARPOL 73/78 relating to the introduction of a shipboard marine pollution emergency plan for noxious liquid substances.

Regulation 7 of these Regulations amends provisions on the power to detain ships which do not comply with the requirements of the Regulations, and applies section 284(1) to (6) and (8) of the Merchant Shipping Act 1995.

A Regulatory Impact Assessment has been prepared and copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton SO15 1EG. A copy has been placed in the library of each House of Parliament.

Merchant Shipping Notices can be read or downloaded free from the Maritime and Coastguard Agency website ([www.mcga.gov.uk](http://www.mcga.gov.uk)). Printed copies can be obtained from Mail Marketing (Scotland) Ltd, Unit 6 Blooms Grove Industrial Estate, Norton Street, Nottingham NG7 3JG (telephone 0115 901 3336). Resolutions and other publications of the International Maritime Organisation can be obtained from IMO, 4 Albert Embankment, London SE1 7SR.