

## EXPLANATORY NOTE

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

These Regulations, with the Merchant Shipping (Control of Pollution by Garbage) Regulations 1988, give effect to provisions of Annex V of the International Convention for the Prevention of Pollution from Ships 1973 (Cmnd 5748). They apply to harbour authorities and operators of terminals used by ships.

Harbour authorities and terminal operators are given power to provide reception facilities for garbage from ships and are required to ensure that the facilities at their harbour or terminal are adequate (Regulation 3). The Secretary of State may, when the facilities appear to him not to be adequate, specify the facilities to be provided (Regulation 4). Provision is made for reasonable charges to be made and reasonable conditions to be imposed for the use of such facilities.

A harbour authority or terminal operator which fails to comply with any direction of the Secretary of State regarding the provision of reception facilities or does not provide him with the information he needs about them commits an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale (currently £2000).

Documents published by the International Maritime Organisation are available from that organisation at 4 Albert Embankment, London SE1 7SR.