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## IMPLEMENTATION OF THE REVISED ANNEX IV OF MARPOL 73/78

1 The Marine Environment Protection Committee, at its forty-ninth session (14 to 18 July 2003), recognized that original Annex IV of MARPOL 73/78 would enter into force on 27 September 2003 and that, under the agreement reflected in resolution MEPC.88(44), Parties to Annex IV of MARPOL 73/78 would be requested to implement the revised Annex IV as set out in annex 10 to MEPC 44/20 which was approved by the Committee at its forty-fourth session (6 to 8, 10 and 13 March 2000), rather than the existing Annex IV.

2 The Committee further recognized that, although the revised Annex IV would be circulated for adoption by MEPC 51 in early 2004, the revised Annex IV would only become effective in July 2005 and that there would be a possibility of confusion as to which text, either the original or revised Annex IV, should be applied among Parties to the Annex.

3 The Committee reconfirmed that Parties be recommended to apply the revised Annex IV upon the entry into force of the existing Annex IV as reflected in operative paragraph 3 of resolution MEPC.88(44); however, in order to avoid confusion among Parties to Annex IV, the Committee agreed to request any Parties to Annex IV which may not be able to modify their national legislation to implement the revised Annex IV until its entry into force in July 2005 as expected:

- .1 not to apply, for the purpose of port State control, requirements of the existing Annex IV to ships of foreign flag falling under those categories of ships which will be exempted from application in the revised Annex IV; and
- .2 not to apply any punitive measures for such ships

during the transitional period from the date of entry into force of the existing Annex IV until the date of entry into force of the revised Annex IV.