

ANNEX 3

RESOLUTION MEPC.89(45)

Adopted on 5 October 2000

**AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO
THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF
POLLUTION FROM SHIPS, 1973****(Amendments to Annex V of MARPOL 73/78)**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING article 38(a) of the Convention on the International Maritime Organization concerning the function of the Committee conferred upon it by international conventions for the prevention and control of marine pollution,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter referred to as the "1973 Convention") and article VI of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, (hereinafter referred to as the "1978 Protocol") which together specify the amendment procedure of the 1978 Protocol and confer upon the appropriate body of the Organization the function of considering and adopting amendments to the 1973 Convention, as modified by the 1978 Protocol (MARPOL 73/78),

NOTING ALSO resolution MEPC.87(44) by which the Committee agreed on the use of Spanish under IMO conventions relating to pollution prevention,

HAVING CONSIDERED the proposed amendments to Annex V of MARPOL 73/78, which were approved by the forty-fourth session of the Committee and circulated in accordance with article 16 (2) (a) of the 1973 Convention,

1. ADOPTS, in accordance with article 16(2)(d) of the 1973 Convention, the amendments to Annex V of MARPOL 73/78, the text of which is set out at Annex to the present resolution;
2. DETERMINES, in accordance with article 16(2)(f)(iii) of the 1973 Convention, that the amendments shall be deemed to have been accepted on 1 September 2001, unless prior to the date, not less than one-third of the Parties or the Parties combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objections to the amendments;
3. INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the amendments shall enter into force on 1 March 2002 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General, in conformity with article 16(2)(e) of the 1973 Convention, to transmit to all Parties to MARPOL 73/78 certified copies of the present resolution and the text of the amendments contained in the Annex; and
5. REQUESTS FURTHER the Secretary-General to transmit to the Members of the Organization which are not Parties to MARPOL 73/78 copies of the resolution and its Annex.

ANNEX

AMENDMENTS TO ANNEX V OF MARPOL 73/78

- 1 The existing paragraph (2) of regulation 1 is replaced by the following:

“*Nearest land*”. The term “from the nearest land” means from the baseline from which the territorial sea of the territory in question is established in accordance with international law, except that, for the purposes of the present Convention “from nearest land” off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11°00' S, longitude 142°08' E
to a point in latitude 10°35' S, longitude 141°55' E,
thence to a point latitude 10°00' S, longitude 142°00' E,
thence to a point latitude 9°10' S, longitude 143°52' E,
thence to a point latitude 9°00' S, longitude 144°30' E,
thence to a point latitude 10°41' S, longitude 145°00' E,
thence to a point latitude 13°00' S, longitude 145°00' E,
thence to a point latitude 15°00' S, longitude 146°00' E,
thence to a point latitude 17°30' S, longitude 147°00' E,
thence to a point latitude 21°00' S, longitude 152°55' E,
thence to a point latitude 24°30' S, longitude 154°00' E,
thence to a point on the coast of Australia
in latitude 24°42' S, longitude 153°15' E

- 2 The existing paragraph (1)(a) of regulation 3 is replaced by the following:

“the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues, is prohibited.”

- 3 The existing paragraph (2)(a)(i) of regulation 5 is replaced by the following:

“all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues; and”

- 4 The existing paragraph (1)(b) of regulation 9 is replaced by the following:

“The placards shall be written in the working language of the ship’s personnel and, for ships engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention, shall also be in English, French or Spanish.”

5 The existing paragraph (3)(a) of regulation 9 is replaced by the following:

“Each discharge operation, or completed incineration, shall be recorded in the Garbage Record Book and signed for on the date of the incineration or discharge by the officer in charge. Each completed page of the Garbage Record Book shall be signed by the master of the ship. The entries in the Garbage Record Book shall be at least in English, French or Spanish. Where the entries are also made in an official language of the State whose flag the ship is entitled to fly are also used, these entries shall prevail in case of a dispute or discrepancy;”

6 The existing Record of Garbage Discharges contained in the appendix is replaced by the following:

"RECORD OF GARBAGE DISCHARGES

Ship's name : _____

Distinctive No, or letters : _____

IMO No : _____

Garbage categories :

1. Plastic
2. Floating dunnage, lining or packing materials
3. Ground paper products, rags, glass, metal, bottles, crockery, etc.
4. Paper products, rages, glass, metal, bottles, crockery, etc.
5. Food waste
6. Incinerator ash except from plastic products which may contain toxic or heavy metal residues

NOTE : THE DISCHARGE OF ANY GARBAGE OTHER THAN FOOD WASTE IS PROHIBITED IN SPECIAL AREAS. ONLY GARBAGE DISCHARGED INTO THE SEA MUST BE CATEGORIZED. GARBAGE OTHER THAN CATEGORY 1 DISCHARGED TO RECEPTION FACILITIES NEED ONLY BE LISTED AS A TOTAL ESTIMATED AMOUNT.

Date/time	Position of the ship	Estimated amount discharged into sea (m ³)					Estimated amount discharged to reception facilities or to other ship (m ³)		Estimated amount incinerated (m ³)	Certification/Signature
		Cat. 2	Cat. 3	Cat. 4	Cat. 5	Cat. 6	Cat. 1	Other		

Master's signature: _____ Date : _____ "
