ANNEX 4

RESOLUTION MEPC.143(54)

Adopted on 24 March 2006

AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS, 1973

(Addition of regulation 13 to Annex IV of MARPOL 73/78)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (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),

HAVING CONSIDERED the proposed new regulation 13 of Annex IV of MARPOL 73/78 concerning port State control on operational requirements,

1. ADOPTS, in accordance with article 16(2)(b), (c) and (d) of the 1973 Convention, the new regulation 13 of Annex IV 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 revised Annex IV shall be deemed to have been accepted on 1 February 2007, unless, prior to that date, not less than one third of the Parties to MARPOL 73/78 or by the Parties the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have notified to the Organization their objections to the amendments;

3. INVITES Parties to MARPOL 73/78 to note that, in accordance with article 16(2)(g)(ii) of the 1973 Convention, the said amendments shall enter into force on 1 August 2007 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 copies of this resolution and its Annex to Members of the Organization which are not Parties to MARPOL 73/78.

ANNEX

AMENDMENTS TO THE REVISED MARPOL ANNEX IV

The following new chapter 5 and regulation 13 are added after the existing regulation 12:

Chapter 5 – Port State Control

"**Regulation 13 – Port State control on operational requirements***

1. A ship when in a port or an offshore terminal of another Party is subject to inspection by officers duly authorized by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by sewage.

2. In the circumstances given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this Annex.

3. Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to this regulation.

4. Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the present Convention."

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* Refer to procedures for port State control adopted by the Organization by resolution A.787(19) and amended by resolution A.882(21); see IMO sales publication IMO-650E.