



Environmental Legal Register

International Environmental Legal Requirements

Prepared by:

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ENVIRONMENTAL LAW

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International Environmental Requirements

Introduction:

This Legal Register is designed to satisfy the basic requirements of clause 4.3.2 of ISO14001: 2004. The register comprises of a list identifying international environmental legal requirements applicable to the environmental aspects identified in relation to Unicorn's shipping activities of its four ships, the Oliphant, Inyala, Berg and Breede. The register does not purport to identify all legal requirements applicable to Unicorn's shipping activities.

Save where referred to, maritime legal requirements contained in flag state, national and regional legislative regimes have been specifically excluded from this register. Maritime Safety Legal requirements have also been specifically excluded save where there is a direct relevance to prevention of pollution.

In an effort to limit the complexity of the legal register, the legal requirements identified are presented in summary form. Reference should always be made to the full legal texts held by Unicorn for full information. This register is not intended to replace legal advice relating to any specific scenario or incident, and Unicorn is advised to seek specific legal advice where appropriate.

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MARINE POLLUTION

MARPOL 73/78

International Convention for the Prevention of Pollution from Ships
Protocol of 1978

Reference	Applicable Legal Requirements	Application
<p>Entered into force 2 October 1983</p>	<p>MARPOL is the main international convention regulating accidental and operational pollution prevention of the marine environment. MARPOL 73/78 is a combination of a treaty adopted on 2 Nov 1973 (dealing with oil pollution, chemicals, harmful substances in packaged form, sewage and garbage), and a 1978 Protocol developed in response to major oil spills.</p> <p>The provisions of the Convention impose obligations on the State Parties to MARPOL. Specific requirements are found primarily in Annexes I to VI to the Convention.</p>	<p>MARPOL Annexes I to VI have been acceded to by the United Kingdom, Unicorn's flag state.</p> <p>MARPOL was enacted into the domestic law of South Africa by the Marine Pollution (Prevention of Pollution From Ships) Act 2 of 1986. Various regulations have been promulgated under this Act, including:</p> <ul style="list-style-type: none"> - <i>Prevention of pollution by garbage from ships regulations</i> GNR 1490 of 29 May 1992 - <i>Reception facilities for garbage from ships regulations</i> GNR 1491 of 29 May 1992 - <i>Merchant Shipping/Marine Pollution (IBC Code) regulations</i> GNR133 of 23 January 1998 - <i>Marine Pollution (BCH Code) regulations</i> GNR 134 of 21 January 1998



Protocol I – Provisions concerning reports on incidents involving Harmful Substances		
Reference	Legal Requirements - summary	Application
Article I	The Master or other person in charge of a ship involved in an incident described in article II is required to report the particulars of the incident without delay. If the ship is abandoned or the report incomplete, the owner, charterer, manager or operator of the ship is required to report.	These Protocol I Reporting Requirements are applicable to Unicorn in the event of an incident as described in article II, and should be included as mandatory reporting requirements in Unicorn's Emergency Preparedness & Response procedure.
Article II	A report shall be made when an incident involves: <ul style="list-style-type: none"> (a) A discharge above the permitted level or probable discharge of oil or noxious liquid... (b) A discharge or probable discharge of harmful substances in packaged form... (c) Damage, failure or breakdown of a ship >15m in length, which: <ul style="list-style-type: none"> (i) affects the safety of the ship... (ii) results in impairment of navigation... (d) a discharge during the operation of the ship of oil or noxious liquid in excess of the quantity or instantaneous rate permitted under the MARPOL. 	Article II sets out the circumstances in which Unicorn is required to report a pollution incident.
Article III	The report referred to above shall include: <ul style="list-style-type: none"> (a) identity of ships involved; (b) time, type and location of incident; (c) quantity and type of harmful substance involved; 	Article III sets out the contents of the report which Unicorn is required to make in the event of a pollution incident.



	(d) assistance and salvage measures.	
Articles IV & V	[Sets out supplementary reporting requirements and reporting procedures].	Refer to the full text where applicable.

Annex I – Regulations for the Prevention of Pollution by Oil		
Reference	Applicable Legal Requirements - Summary	Application
Reg 1	<p>Definitions</p> <p><i>Instantaneous rate of discharge of oil content</i> means the rate of discharge of oil in litres per hour at any instant divided by the speed of the ship in knots at the same instant.</p> <p><i>Slop tank</i> means a tank specifically designated for the collection of tank drainings, tank washings and other oily mixtures.</p> <p><i>Clean ballast</i> means the ballast in a tank which, since oil was last carried therein, has been so cleaned that effluent therefrom if it were discharged from a stationary ship in calm water on a clear day would not produce visible traces of oil on the surface or on adjoining shoreline etc. <u>Ballast discharged through an approved oil discharge monitoring and control system not exceeding 15 ppm shall be deemed clean.</u></p> <p><i>Segregated ballast</i> means ballast water introduced into a tank completely separate from cargo oil or fuel oil system and which is permanently allocated to the carriage of ballast etc.</p>	<p>Entered into force 2 October 1983. Revised Annex I entered into force on 1 January 2007.</p> <p>Summary of documents required to verify compliance:</p> <ul style="list-style-type: none"> • International Oil Pollution Prevention (IOPP) Certificate (Annex I Form A) • Record of Construction and Equipment (Annex I Form B) • Oil Record Book Part I – Machinery space operations (all ships) • Oil Record Book Part II – Cargo/ballast operations (oil tankers)
Reg 2	<p>Application</p> <p>[This regulation sets out the application of Regulation</p>	Regulation 2 applies to all Unicorn ships.



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	2, as well as exclusions. Refer to original text for details]	
Reg 3	<p>[Sets out provisions for exemptions and waivers,]</p> <p>Regulation 3.4 makes provision for a waiver of regulations 29, 31 and 32 for any oil tanker engaging exclusively of voyages <72 hours in duration and within 50 NM from the nearest land provided that the oil tanker is engaged exclusively in trade between ports or terminals within a State Party. Such a waiver is subject to the requirement that the oil tanker shall retain on board all <u>oily mixtures</u> for subsequent discharge to adequate reception facilities.</p> <p>Regulation 3.5 makes provision for a waiver of regulations 31 and 32 for oil tankers under specified circumstances (refer to original text for details). This includes where the tanker is engaged exclusively in one or more of the following categories of voyages:</p> <ul style="list-style-type: none"> - Voyages within special areas; - Voyages within 50 NM from the nearest land outside special areas where the tanker is engaged in trade between ports of a State Party to the Convention or restricted voyages of 72 hrs or less; - <u>Provided that</u> oil mixtures are retained onboard for subsequent discharge to reception facilities, the IOPPC is endorsed to this effect, and the quantity, time and port of discharge is recorded in the oil record book. 	<p>The exception referred to in Reg 3.4 may be applicable to any Unicorn ship engaging in local trade.</p> <p>'Oily mixtures' is defined as including all ballast water and tank washing residues from cargo oil tankers</p>
Regulation 4	Exceptions	Unicorn to note the exceptions.



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	<p>Regulations 15 and 34 of Annex I do not apply to:</p> <ul style="list-style-type: none"> - The discharge into the sea of oil or oily mixture necessary for the purpose of securing the safety of a ship or saving life at sea; or - The discharge into the sea of oil or oily mixture resulting from damage to a ship or its equipment: - Provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and - Except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or - The discharge into the sea of substances containing oil, approved by the Administration when being used for the purpose of combating specific pollution incidents in order to minimize the damage from pollution. Any such discharge is subject to the approval of any government in whose jurisdiction it is contemplated the damage will occur. 	
Regulation 5	[Sets out provisions for equivalents]	
Chapter 2	Surveys and certification	
Reg 6	<p>Surveys</p> <p>Every oil tanker of 150 gross tonnage and above and any other ship > 400 tg is subject to the following</p>	Unicorn is required to comply with these survey requirements. Surveys are to be conducted by officer of the Administration or organizations complying with the guidelines (cf. Resolution



	<p>surveys:</p> <ul style="list-style-type: none"> (1) Initial Survey; (2) A renewal Survey at periods not exceeding 5 years (note also exceptions are applicable); (3) An intermediate Survey within 3 months before or after the 2nd or 3rd anniversary date of the Certificate (in place of one of the annual surveys below); (4) An annual survey within 3 months before or after each anniversary date; (5) Additional survey after a repair. 	A.739(a) & (19).
Reg 7	<p>Issue or endorsement of certificate</p> <p>An International Oil Pollution Prevention Certificate (IOPPC) shall be issued... for any oil tanker of > 150 tg and any other ship > 400 tg which is engages in voyages to ports or offshore terminals under the jurisdiction of other Parties to MARPOL.</p>	Unicorn is required to have International Oil Pollution Prevention Certificate.
Reg 8, 9, 10,	These regulations deal with issue or endorsement of the IOPPC, the form of the certificate, duration and validity, port state control on operational requirements.	Unicorn to note.
Chapter 3 Part A	Requirements for machinery spaces of all ships Construction	
Reg 12	<p>Tanks for oil residues</p> <p>[Makes provision for provision of tanks to receive oil residues (sludge), including those resulting from the purification of fuel and lubricating oils and oil leakages into machinery spaces]</p>	Unicorn to note.



	<p>Piping to and from sludge tanks shall have no direct connection overboard save for the standard discharge r13 connection.</p> <p>Ships delivered after 31 December 1979 shall have tanks for oil designed and constructed so as to facilitate their cleaning and discharge of residues to reception facilities.</p>	
Reg 13	<p>Standard discharge connection</p> <p>[This section provides the specification for discharge pipes from machinery bilges and sludge tanks to be fitted with a standard discharge connection. See table in authentic text for details].</p>	Unicorn to note.
Part B	Equipment	
Reg 14	<p>Oil Filtering Equipment</p> <p>(1) Any ship >400 gt but <10,000 gt shall be fitted with oil filtering equipment as specified in r14.6. Any such ship which may discharge into the sea ballast water retained in oil fuel tanks in accordance with reg 16.2 is obliged to comply with paragraph 2.</p> <p>(2) Any ship > 10,000 gt shall be fitted with oil equipment complying with para 7.</p> <p>(3) ,...</p> <p>(4) (4)... ,</p> <p>(5) [sets out circumstances in which the above requirements may be waived, in which case the IOPPC must be endorsed to this effect, and the quantity, time and port of discharge is to be recorded in the Oil Record Book Part I].</p>	Unicorns ships over 10 000 gross tonnage are required to be fitted with oil filtering equipment in compliance with paragraph 7. These systems must be fitted with an alarm arrangement that automatically stops discharge if the oil content is above 15 ppm.



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	<p>(6) <u>Oil filtering equipment</u> referred to in para (1) above must be <u>of an approved design</u> and capable of ensuring that any oily mixture discharged into the sea has an <u>oil content not exceeding 15 ppm</u>.</p> <p>(7) Oil filtering equipment referred to in para (2) above must comply with para (6) above. <u>In addition</u>, it shall be provided with <u>alarm</u> arrangements to indicate when this level cannot be maintained, and for discharge to be <u>automatically stopped</u> if the oil content exceeds 15 ppm.</p>	
Part C	Control of operational discharge of oil	
Reg 15	<p>Control of Discharge of Oil</p> <p>(1) Subject to the provisions of reg 4 (exceptions) and paras 2, 3 and 6 below, any discharge into the sea of oil or oily mixtures from ships is prohibited.</p>	Unicorn to note.
	<p>A. Discharges outside special areas</p> <p>(2) Any discharge into the sea of oil or oily mixtures from ships >400 gt is prohibited except when the following conditions are satisfied:</p> <ol style="list-style-type: none"> 1. The ship is proceeding <i>en route</i>; 2. The oily mixture is processed through an oil filtering equipment meeting the requirements of r14; 3. The oil content of the effluent without dilution does not exceed 15 ppm; 	Unicorn to note when discharges are permitted.



	<ol style="list-style-type: none"> 4. The oily mixture does not originate from cargo pump-room bilges on oil tankers; and 5. The oily mixture, in the case of oil tankers, is not mixed with oil cargo residues 	
	<p><i>B. Discharges in special areas</i></p> <p>(3) Any discharge into the sea of oil or oily mixtures from ships >400 gt is prohibited except when the following conditions are satisfied:</p> <ol style="list-style-type: none"> 1. The ship is proceeding <i>en route</i>; 2. The oily mixture is processed through an oil filtering equipment meeting the requirements of reg 14.7 (<i>i.e. it must be of an approved design capable of ensuring that any oily mixture discharged into the sea has an oil content not exceeding 15 ppm, it must be provided with alarm arrangements to indicate when this level cannot be maintained, and for discharge to be automatically stopped if the oil content exceeds 15 ppm</i>); 3. The oil content of the effluent without dilution does not exceed 15 ppm 4. The oily mixture does not originate from cargo pump-room bilges on oil tankers; and 5. The oily mixture, in the case of oil tankers, is not mixed with oil cargo residues 	<p>Unicorn to note.</p>



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	(4) Any discharge into the sea of oil or oily mixtures is prohibited in the Anatarctica.	
	C. Requirements for ships <400 gt Not applicable.	All Unicorn ships are > 400 gt.
	D. General Requirements (7)... (8) No discharge to into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this regulation. (9) Oil residues which cannot be discharged into the sea in compliance with this regulation shall be retained on board for subsequent discharge to reception facilities.	Unicorn to note prohibition on discharges to sea. Oil residues that cannot be discharged in compliance with this regulation must be retained and discharged to reception facilities.
Reg 16	Segregation of oil and water ballast and carriage of oil in forepeak tanks (1) No ballast water shall be carried in any oil fuel tank (subject to listed exceptions); (2) Where the need to carry large quantities of oil fuel render it necessary to carry ballast water which is not a clean ballast in any oil fuel tank, this ballast water must be discharged to reception facilities or into the sea in compliance with reg 15, and an entry shall be made in the Oil Record Book to this effect.	Unicorn to note.
Regulation 17	Oil Record Book, Part I -	Unicorn is required to maintain Oil Record



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	Machinery space operations	Books, Part I - Machinery space operations
	<p>(1) Every oil tanker > 150 gt and ship > 400 gt shall be provided with an Oil Record Book Part I (Machinery space operations) in the form specified in Appendix III to this annex;</p> <p>(2) The ORB must be completed on each occasion, on a tank to tank basis if necessary, whenever any of the following machinery space operations take place:</p> <ul style="list-style-type: none">• Ballasting or cleaning of oil fuel tanks;• Discharge of dirty ballast or cleaning water from oil fuel tanks;• Collection and disposal of oil residues (sludge and other oil residues);• Discharge overboard or disposal otherwise of bilge water which as accumulated in machinery spaces;• Bunkering fuel or bulk lubricating fuel; <p>(3) In the event of a discharge in accordance with regulation 4, a statement shall be made in the ORB Part I of the circumstances and reasons for the discharge;</p> <p>(4) Each operation must be recorded without delay, and shall be signed by the officers in charge;</p> <p>(5) Any failure of oil filtering equipment must also be recorded in ORB Part I;</p> <p>(6) The ORB Part I shall be kept readily available for inspection on board the ship and preserved for 3 years...</p>	



<p>Chapter 4 Part A</p>	<p>Requirements for the cargo areas of oil tankers Construction</p>	
<p>Regulation 18</p>	<p>Segregated Ballast Tanks [Refer to MARPOL Annex I for details on ballast tank requirements, capacity requirements etc.] (3) In no case shall ballast water be carried in cargo tanks except: - On those rare voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship; and - In exceptional cases as established by the IMO Such additional ballast water shall be processed and discharged in accordance with reg 34 and an entry made in Oil Record Book Part II (4) Crude oil tankers may only carry additional ballast in cargo tanks if they have been crude oil washed in accordance with reg 35. [The balance of this regulation deals with ballast tank arrangements under various circumstances, and is not included in this register. See MARPOL Annex I for further details]</p>	<p>These requirements apply to ships purchased or commissioned by Unicorn, and are verified by the initial survey.</p>
<p>Regulation 19</p>	<p>[Deals with double hull and bottom requirements for</p>	<p>Relates to technical design requirements for</p>



	oil tankers delivered on or after July 1996]	Unicorn's ships (where applicable).
Regulation 20	[Deals with double hull and bottom requirements for oil tankers delivered before 6 July 1996]	Relates to technical design requirements for Unicorn's ships (where applicable).
Regulation 21	[Deals with requirements for oil tankers carrying heavy grade oil as cargo]	Relates to technical design requirements for Unicorn's ships (where applicable).
Regulation 22	[Deals with pump-room bottom protection]	Relates to technical design requirements for Unicorn's ships (where applicable).
Regulation 23	[Applies to tankers delivered on or after 1 January 2010, and deals with accidental oil outflow performance]	Relates to technical design requirements for Unicorn's ships.
Regulation 24	[Provides for various assumptions for the purpose of calculating hypothetical oil outflow from oil tankers in accordance with reg 25 and 26].	Unicorn to note.
Regulation 25	[Deals with hypothetical outflows of oil]	Unicorn to note.
Regulation 26	[Deals with Limitations of size and arrangement of cargo tanks]	Unicorn to note.
Regulation 27	[Deals with Intact stability]	Unicorn to note.
Regulation 28	[Deals with Subdivision and damage stability]	Unicorn to note.
Regulation 29	[Deals with Slop Tank requirements] <ul style="list-style-type: none"> - Any transfer of oily waste into a slop tank must be in such a way that any effluent discharged to sea complies with regulation 34 below. - Slop tanks must have a capacity necessary to retain the slop generated by tank washing, oil residue and dirty ballast residues. - The total capacity must not be less than 3% of the 	Any transfer of oily waste into a slop tank must be in such a way that any effluent discharged to sea complies with regulation 34 below.



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	oil-carrying capacity of the ship.	
30	<p>[Deals with pumping, piping and discharge arrangements]</p> <ul style="list-style-type: none"> - Every oil tanker must have a discharge manifold located on the open deck on both sides of the ship for connection to reception facilities for discharge of dirty ballast water or oil-contaminated water; - Discharge of ballast water or oil contaminated water from cargo tank areas shall take place above the waterline (subject to exceptions – see 6.1 to 6.4) 	Unicorn to note.
Part B	Equipment	
Regulation 31	<p>Oil discharge monitoring and control system Subject to r3, oil tankers of > 150 gt are required to have an oil discharge and monitoring and control system approved by the administration.</p>	Unicorn oil tankers are required to have oil monitoring and control system required.
Regulation 32	<p>Oil/Water interface detector Subject to r3, oil tankers of > 150 gt shall be provided with effective oil/water interface detectors.</p>	Unicorn oil tankers are required to have effective oil/water interface detectors required.
Regulation 33	<p>Crude Oil Washing Requirements</p> <ul style="list-style-type: none"> - Crude oil tankers delivered after 1982 of 20 000 tdw shall be fitted with a cargo tank cleaning system using crude oil washing; - This equipment must comply with the specifications for the design, operation and control of crude oil washing systems adopted by the IMP by resolution A.497(XI) as amended. 	Unicorn to note requirements for crude oil washing requirements. This would include the Oliphant and Inyala
Part C	Control of Operational Discharges of oil (from	



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	cargo areas)	
Regulation 34	<p>A. Discharges outside special areas</p> <p>Any discharge into the sea of oil or oily mixtures from the cargo area of an oil tanker shall be prohibited except when all the following conditions are satisfied:</p> <ul style="list-style-type: none"> - The tanker is <u>not</u> within a special area; - The tankers is more than 50 nautical miles from the nearest land - The tanker is proceeding <i>en route</i>; - The instantaneous rate of discharge of oil content does not exceed 30 litres per NM; - The total quantity of oil discharge into the sea does not exceed 1/15 000 of the total quantity of the cargo for tankers delivered before 31/12/79, or 1/30 000 of the total quantity of the cargo for tankers delivered after 31/12/79; - The tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regs 29 and 31. <p>The above provisions <u>do not apply</u> to discharge of clean or segregated ballast.</p> <p>B. Discharges in Special Areas</p> <p>Any discharge into the sea of oil or oily mixture from the cargo area of an oil tanker is prohibited while in a special area.</p>	<p>Unicorn to note prohibition on oil or oily mixtures discharges outside special areas, as well as where discharges are allowed.</p> <p>Discharges prohibited in Special Areas.</p>



	<p>C. Requirements for oil tankers < 150 gt</p> <p>-</p> <p>D. General Requirements</p> <p>- No discharge to into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this regulation.</p> <p>- Oil residues which cannot be discharged into the sea in compliance with this regulation shall be retained on board for subsequent discharge to reception facilities.</p>	
Regulation 35	<p>Crude Oil Washing Operations</p> <p>- Every tanker operating with crude oil washing systems shall be provided with an Operations and Equipment Manual detailing the system and equipment and specifying operational procedures.</p> <p>- With respect to the ballasting of cargo tanks, sufficient cargo tanks shall be crude oil washed prior to each ballast voyage in order that, taking into account the tanker's trading pattern and expected weather conditions, ballst water is put only in cargo tanks which have been crude oil washed.</p>	Applies to Oliphant and Inyala.
Regulation 36	<p>Oil Record Book, Part II – Cargo/ballast operations</p>	Unicorns tankers >150 gt must be provided with an Oil Record Book Part II (Cargo/Ballast Operations), which book must be completed as



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- Every oil tanker >150 gt must be provided with an Oil Record Book Part II (Cargo/Ballast Operations) in the form specified in Appendix III to Annex I.
- This book shall be completed on each occasion, on a tank-to-tank basis if appropriate, whenever any of the following cargo/ballast operations take place in the ship:
 1. Loading of oil cargo;
 2. Internal transfer of oil cargo during voyage;
 3. Unloading of oil cargo;
 4. Ballasting of cargo tanks and dedicated clean ballast tanks;
 5. Cleaning of cargo tanks including crude oil washing;
 6. Discharge of ballast except from segregated ballast tanks;
 7. Discharge of water from slops tanks;
 8. Closing of all applicable valves or similar devices after slop tank discharge operations;
 9. Closing of valves necessary for isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations.

(36.4) In the event of a discharge of oil or oily mixture referred to in r4 or in the event of accidental or other exceptional discharge of oil not excepted, a statement is to be made in the ORB Part II of the

indicated.



	<p>circumstances of and reason for the discharge.</p> <p>(36.5) Each operation must be recorded without delay, and shall be signed by the officers in charge.</p> <p>(36.6) Any failure of oil filtering equipment must also be recorded in ORB Part II.</p> <p>(36.7) The ORB Part I shall be kept readily available for inspection on board the ship and preserved for 3 years.</p>	
<p>Chapter 5</p>	<p>Prevention of Pollution Arising from an Oil Pollution Incident</p>	
<p>Regulation 37</p>	<p>Every oil tanker >150 gt and every ship over 400 gt shall carry on board a shipboard emergency plan approved by the administration. (refer to regulation for specific requirements to be included in the plan – 37.2.1 to 4))</p> <p>37.3 In the case of ships to which regulation 17 of Annex II applies, such a plan may be combined with the shipboard marine pollution emergency plan for noxious liquid substances.</p> <p>37.4 All oil tankers >5000 t dw shall have prompt access to computerized shore-based damage stability and residual structural strength calculation programmes.</p>	<p>Unicorn ships are required to carry on board a shipboard oil pollution emergency plan.</p>



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Chapter 6	Reception Facilities	
	<p>This chapter sets out obligations for providing reception facilities for oil and oily mixtures are imposed on the State Parties to MARPOL</p>	<p>No legal requirements applicable to Unicorn. However, Unicorn Ships' masters should ensure that they obtain receipts from the operator of the reception facilities detailing the quantity of tank washings, dirty ballast, residues or oily mixtures transferred, together with the time and date of transfer.</p>

Annex II – Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk		
Reference	Applicable Legal Requirements	Application
Regulation 1	<p>Definitions [Refer to full text for all definitions] Noxious liquid substance means any substance referred to in the Pollution Category column of chapter 17 or 18 of the International Bulk Chemical Code or provisionally assessed under the provisions of regulation 6.3 as falling into category X, Y or Z.</p>	<p>Entered into force 6 April 1987 Revised Annex II entered into force 1 January 2007. MARPOL II has been acceded to by the United Kingdom.</p>
Regulation 2	<p>(1) Unless expressly provided otherwise the provisions of this Annex shall apply to all ships carrying noxious liquid substances in bulk.</p> <p>(2) Where a cargo subject to the provisions of Annex I of the present Convention is carried in a cargo space of an NLS tanker, the appropriate requirements of Annex I of the present Convention shall also apply.</p>	<p>MARPOL Annex II applies to all Unicorn ships carrying NLS in bulk.</p>



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Regulation 3	<p>These regulations do not apply to discharge into the sea of NLS or mixtures containing such substances when such a discharge is:</p> <p>(a) necessary for the purpose of securing the safety of a ship or saving life at sea; or</p> <p>(b) results from damage to a ship or its equipment,...(i) provided that all reasonable precautions were taken...; and (ii) except if the owner or master acted with intent to cause damage, or recklessly...</p>	Unicorn to note circumstances where prohibition does not apply to discharges of NLS.
Regulation 4	[Sets out exemptions. Refer to original text]	
Regulation 5	[Provides that equivalent fittings, materials, appliances or apparatus may be allowed by the administration]	
Chapter 2	Categorization of Noxious Liquid Substances	
Regulation 6	<p>Categorization of Noxious Liquid Substances and Other Substances</p> <p>NLS are divided into four categories:</p> <p>Category X: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations, are <u>deemed to present a major hazard to either marine resources or human health</u> and, therefore, justify the prohibition of the discharge into the marine environment;</p> <p>Category Y: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations,</p>	Guidelines for categorization of NLS are given in Appendix I of Annex II.



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	<p>are <u>deemed to present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea</u> and therefore justify a limitation on the quality and quantity of the discharge into the marine environment;</p> <p>Category Z: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations, are <u>deemed to present a minor hazard to either marine resources or human health and therefore justify less stringent restrictions</u> on the quality and quantity of the discharge into the marine environment; and</p> <p>Other Substances: substances which have been evaluated and found to fall outside Category X, Y or Z because they are <u>considered to present no harm to marine resources, human health, amenities or other legitimate uses of the sea</u> when discharged into the sea from tank cleaning of deballasting operations. The discharge of bilge or ballast water or other residues or mixtures containing these substances are not subject to any requirements of MARPOL Annex II.</p>	
Chapter 3	Surveys and certification	
Regulation 7	Survey and certification of chemical tankers	IBC Code or the Bulk Chemical Code Certificate



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	<p><u>Chemical tankers which have been surveyed and certified in accordance with the provisions of the IBC Code or the Bulk Chemical Code shall be deemed to have complied with the provisions of these regulations, and a certificate issued under that Code shall have the same force and receive the same recognition as the certificate issued under regulation 9 of this Annex.</u></p>	<p>receives same recognition as a regulation 9 certificate.</p> <p>Unicorn requires an International Certificate of Fitness for the Carriage for Dangerous Chemicals in Bulk.</p> <p>Refer to the IBC Code for specific requirements.</p>
<p>Regulation 8</p>	<p>Surveys</p> <p>1 Ships carrying NLS in bulk are subject to the following surveys:</p> <ul style="list-style-type: none"> .1 An initial survey; .2 A renewal survey at specified periods not exceeding 5 years; .3 An intermediate survey within 3 months before or after the 2nd anniversary date or within 3 months before or after the 3rd anniversary date (takes the place of an annual survey), to be endorsed on the regulation 9 certificate; .4 An annual survey within 3 months before or after each anniversary date of the certificate; .5 An additional survey after repairs or renewals. <p>...</p> <p>3.1 The condition of the ship and its equipment shall be maintained to conform with the provisions of</p>	<p>Unicorn to note survey requirements.</p>



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	<p>the present convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment;</p> <p>3.2 After any survey... no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey without the sanction of the Administration, apart from direct replacements;</p> <p>3.3 Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency or completeness of its equipment... the master or owner shall <u>report</u> at the earliest opportunity to the Administration... or the appropriate authorities of the port State if the ship is in port.</p>	
<p>Regulation 9</p>	<p>Issue or endorsement of Certificate An International Pollution Prevention Certificate for the Carriage of NLS in Bulk shall be issued in the form specified in Appendix III.</p>	<p>Unicorn's Bulk NLS Carriers are required to have an International Pollution Prevention Certificate for the Carriage of NLS in Bulk</p>
<p>Regulation 10</p>	<p>Duration and validity of Certificate IPPC is issued for a specified period not exceeding 5 years. [refer to the full text for specifics, including renewal options etc.] A certificate ceases to be valid if:</p> <ul style="list-style-type: none"> - Surveys are not completed within the specified periods; - The certificate is not endorsed in accordance with 	<p>Unicorn to note.</p>



	<p>regulation 8.1.3 or 8.1.4;</p> <ul style="list-style-type: none"> - Upon transfer of the ship to the flag of another State. 	
Chapter 4	Design, construction, arrangement and equipment	
Regulation 11	<p><i>Design, construction, equipment and operations</i> [The design, construction, equipment and operation of ships certified to carry NLS in bulk identified in chapter 17 of the IBC Code shall be in compliance specified requirements contained in the IBC Code and the Bulk Chemical Code, depending on when the ships were contracted or constructed. Chemical Tankers constructed on or before 1 July 1986 must comply with the BCH Code].</p>	Refer to the IBC Code for full details.
Regulation 12	<p><i>Pumping, Piping, unloading arrangements and slop tanks</i> 1 [Deals with ships constructed before 1986] 2 Every ship constructed on or after 1 July 1986 but before 1 January 2007 shall be provided with a pumping and piping arrangement to ensure that:</p> <ul style="list-style-type: none"> - each tank certified for the carriage of substances in category X or Y does not retain a quantity of the residue in excess of 100 litres in the tanks and its associated piping; and - each tank certified for the carriage of substances in Z category does not retain a quantity of residue in excess of 300 litres in the tank and its associated piping. 	Unicorn to note.



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	<p>A performance test in accordance with appendix 5 shall be carried out.</p> <p>3 Every ship constructed after 1 January 2007 shall be provided with a pumping and piping arrangement to ensure that each tank certified for the carriage of substances in category X, Y or Z does not retain a quantity of residue in excess of 75 litres in the tank and its associated piping. A performance test in accordance with appendix 5 shall be carried out.</p> <p>4 Ships other than a chemical tanker constructed before 1 January 2007 which cannot meet the requirements regarding category Z substances will be deemed to comply if the tank is emptied to the most practicable extent.</p> <p>5 ...</p> <p>6 Ships certified to carry substances of category X, Y or Z shall have underwater discharge outlet/s.</p> <p>7 Paragraph 6 is not applicable to ships constructed before 1 January 2007 certified to carry category Z substances.</p> <p>8 The underwater discharge outlets shall be located within the cargo area in the vicinity of the turn of the bilge and shall be so arranged to avoid the re-intake of residue/water mixtures by the ship's seawater intakes.</p> <p>9 & 10 [sets out technical requirements for the discharge outlets]</p> <p>11 <i>Slop tanks</i> – Cargo tanks may be used as slops tanks.</p>	
Chapter 5	Operational Discharges of residues of NLS	

<p>Regulation 13</p>	<p>Control of discharges of residues of NLS</p> <p>Control of discharges of residues of NLS or ballast water, tanks washings or other mixtures containing such substances shall be in compliance with the following:</p> <p>1 <i>Discharge Provisions</i></p> <p>1.1 The discharge into the sea of residues of substances assigned to categories X, Y or Z... or ballast water, tanks washings or other mixtures containing such substances <u>shall be prohibited unless the discharges are made in full compliance with the applicable operational requirements contained in MARPOL Annex II.</u></p> <p>1.2 Before any prewash or discharge procedure is carried out in accordance with this regulation, the relevant tank shall be emptied to the maximum extent in accordance with the procedures prescribed in the manual.</p> <p>1.3 The carriage of substances which have not been categorized... shall be prohibited.</p> <p>2 <i>Discharge Standards</i></p> <p>Where the discharge of substances X, Y and Z are allowed, the following discharge standards apply:</p> <p>.1 the ship is proceeding <i>en route</i> at a speed of at least 7 knots (self propelled)...</p> <p>.2 the discharge is made below the water line through the underwater discharge outlet/s not exceeding the maximum rate for which the underwater discharge outlet/s is/are designed; and</p>	<p>Unicorn to note the prohibition on discharges of NLS, as well as the circumstances under which discharges are permitted. This regulation also deals with ventilation of cargo residues, prewash, use of cleaning agents or additives, and operational requirements for ballasting and deballasting.</p>
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.3 the discharge is made at a distance of not less than 12 Nm from the nearest land in a depth of water not less than 25m

2.2 For ships constructed before 1 January 2007 carrying category Z substances the discharge of residues below the waterline is not mandatory.

...

3 Ventilation of cargo residues

Ventilation procedures approved by the Administration may be used to remove cargo residues from a tank. Any water subsequently introduced is regarded as clean and not subject to the discharge requirements in this Annex.

4 Exemption for a prewash

On request of the ship's master, an exemption for a prewash may be granted by the government of the receiving party [under specified conditions... see full text for details].

5 The use of cleaning agents or additives

5.1 When a washing medium other than water is used... its discharge shall be governed by the provisions of either Annex I or Annex II which would apply to the medium had it been cargo. Tank washing procedures involving the use of such a medium shall be set out in the Manual and be approved by the Administration.

5.2 When small amounts of cleaning additives



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(detergent products) are added to water in order to facilitate tanks washing, no additives containing pollution Category X components shall be used except those components that are readily biodegradable and present in a total concentration of less than 10% of the cleaning additive. No restrictions additional to those applicable to the tank due to the previous cargo shall apply.

6 Discharge of Category X

.1 A tank from which a category X substance has been unloaded shall be prewashed before the ship leaves the port of unloading. The residues shall be discharged to a reception facility until the concentration is 0.1% by weight, and the remaining tank washings shall continue to be discharged to the reception facilities until the tank is empty. Appropriate entries must be made into the Cargo Record Book and endorsed by the surveyor referred to in regulation 16.1.

.2 Any water subsequently introduced into the tank can be discharged into the sea in accordance with the regulation 13.2 standards.

.3 [Makes provision for alternative procedures to ensure that the required concentration is achieved]

7 Discharge of residues of Category Y & Z

.1 The discharge standards in regulation 13.2 apply to the residue discharge procedures for substances in



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category Y or Z;

.2 If the unloading is not carried out in accordance with the Manual, a prewash shall be carried out before the ship leaves the port of unloading , unless alternative measures are taken to the satisfaction of the surveyor... to remove the cargo residues from the ship to quantities specified in this Annex. The resulting tank washings of the prewash shall be discharged to a reception facility at the port of unloading or another port with a suitable reception facility provided that it has been confirmed in writing that a reception facility is available and adequate.

.3 For high-viscosity or solidifying substances in category Y, the following shall apply:

.3.1 a prewash procedure as specified in appendix 6 shall be applied;

.3.2 The residue/water mixture generated during the prewash shall be discharged at a reception facility until the tank is empty;

.3.3 any water subsequently introduced to the tank may be discharged into the sea in accordance with the regulation 13.2 standards.

7.2 Operational requirements for ballasting and deballasting

7.2.1 After unloading, and, if required, after a prewash, a cargo tank may be ballasted.

7.2.2 Ballast introduced into a cargo tank that has been washed to such an extent that the ballast contains less than 1ppm of the substance previously



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	<p>carried may be discharged to sea without regard to discharge rate, ship's speed and discharge outlet location, provided that the ship is not less than 12 Nm from the nearest land and in water that is not less than 25 m deep [see regulation for further details].</p> <p>7.2.3 The discharge into the sea of clean or segregated ballast shall not be subject to the requirements of this annex.</p> <p><i>8 Discharges in the Antarctic Area</i></p> <p><i>8.1 ... means the area south of latitude 60°S;</i></p> <p><i>8.2 In the Antarctic Area any discharge into the sea of NLS or mixtures containing such substances is prohibited.</i></p>	
<p>Regulation 14</p>	<p><i>Procedures and Arrangements Manual</i></p> <p>1 Any ship certified to carry category X, Y or Z substances shall have on board an approved <u>Manual</u> complying with the format in Appendix 4 to this Annex.</p> <p>2 The main purpose of the Manual is to identify for the ship's officers the physical arrangements and all the operational procedures with respect to cargo handling, tank cleaning, slops handling and cargo tank ballasting and deballasting which must be followed in order to comply with the requirements of this Annex.</p>	<p>Unicorn ships are required to carry on board a Procedures and Arrangements Manual complying with the format set out in Appendix 4 to MARPOL II.</p>
<p>Regulation 15</p>	<p><i>Cargo Record Book</i></p> <p>1 Every ship to which this Annex applies shall be provided with a <u>Cargo Record Book</u> in the form</p>	<p>Unicorn ships are to be provided with a Cargo Record Book.</p>



	<p>specified in Appendix 2.</p> <p>2 After any operation specified in Appendix 2, the operation shall be promptly recorded in the Cargo Record Book.</p> <p>3 In the event of an accidental discharge of a NLS or mixture containing such a substance or a discharge under regulation 3, an entry shall be made in the Cargo Record Book stating the circumstances of, and the reason for, the discharge.</p> <p>4 Each entry shall be signed by the officer or officer in charge of the operation concerned and each page shall be signed by the master of the ship.</p> <p>5 The Cargo Record Book shall be kept in a place readily accessible for inspection.</p> <p>6 Competent authorities may inspect the record book, take copies and require the Master to certify a copy which will be admissible in any judicial proceedings as evidence of the facts stated in the entry.</p>	
Chapter 6	Measures of control by port States	
Regulation 16	<p><i>Measures of control</i></p> <p>...</p> <p>3 The master of a ship certified to carry NLS in bulk shall ensure that the provisions of regulation 13 and of this regulation have been complied with and that the Cargo Record Book is completed</p> <p>4 A tank which has carried a category X substance shall be prewashed in accordance with regulation 13.6. The appropriate entries shall of these</p>	<p>Unicorn to note that the Master of the ship is responsible for ensuring that r13 is complied with and that the Cargo Record Book is completed.</p>



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	<p>operations shall be made in the Cargo Record Book and endorsed by the surveyor.</p> <p>5 ...</p> <p>6 On request of the ship's master the Government of the receiving Party may exempt the ship from the requirements of a prewash... when one of the conditions of regulation 13.4 is met.</p> <p>7 ...Such an exemption shall be recorded in the Cargo Record Book and endorsed by the Surveyor.</p> <p>8 If unloading is not carried out in accordance with the pumping conditions approved... and based on Appendix 5... alternative measures may be taken to the satisfaction of the surveyor....The appropriate entries shall be made in the Cargo Record Book.</p> <p><i>Port State control on operational requirements</i></p> <p>9.1 Where there are clear ground for believing that a ship's master or crew are not familiar with essential shipboard procedures relating to prevention of pollution by NLS, a ship is subject to inspection by the port state officers duly authorized concerning operational requirements under this Annex;</p> <p>9.2 The port state is required to ensure the ship does not sail until the situation has been brought to order;</p>	
Chapter 7	Prevention of pollution arising from an incident involving NLS	
Regulation 17	1 Every ship of > 150 gross tonnage certified to carry NLS in bulk shall carry on board a shipboard pollution	Unicorn ships falling within the category are required to carry an approved Marine



	<p>emergency plan for NLS approved by the Administration.</p> <p>2 Such a plan is to be based on Guidelines (i.e. <i>Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances</i>, MEPC.85(44) as amended)... and must consist of at least:</p> <ul style="list-style-type: none"> .1 the procedure to be followed by the master or other persons having charge of the ship to report a NLS pollution incident, as required by article 8 and Protocol I of MARPOL, based on the guidelines... .2 the list of authorities or persons to be contacted in the event of a NLS pollution incident .3 a detailed description of the action to be taken immediately by person on board to reduce or control the discharge of NLS following the incident; .4 the procedures and point of contact on the ship for coordinating shipboard action with national and local authorities in combating the pollution. <p>3 In the case of ships to which regulation 37 of Annex I of MARPOL also applies, such a plan may be combined with the shipboard oil pollution emergency plan, in which case the plan shall be entitled "<i>Shipboard marine pollution emergency plan</i>"</p>	<p>Emergency Plan for NLS.</p>
Chapter 8	Reception facilities	
Regulation 18	This chapter sets out obligations for providing reception facilities for NLS imposed on the State Parties to MARPOL.	No legal requirements applicable to Unicorn. However, Unicorn Ships' masters should ensure that they obtain receipts from the operator of the



		reception facilities detailing the quantity of tank washings, dirty ballast, residues or oily mixtures transferred, together with the time and date of transfer.
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Annex III – Regulations for the Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form		
Reference	Applicable Legal Requirements	Application
	<p>Annex III contains general requirements for the issuing of detailed standards on packing, marking, labelling, documentation, stowage, quantity limitations, exceptions and notifications for preventing pollution by harmful substances.</p> <p>The International Maritime Dangerous Goods (IMDG) Code has, since 1991, included marine pollutants.</p> <p>MARPOL Annex III includes regulations for the prevention of pollution by harmful substances in packaged form and includes general requirements for the issuing of detailed standards on packing, marking, labelling, documentation, stowage, quantity limitations, exceptions and notifications for preventing pollution by harmful substances. For the purpose of Annex III, "harmful substances" are those identified as "marine pollutants" in the IMDG Code.</p>	
Regulation 1	<p>(1) Applies to all ships carrying harmful substances in packaged form.</p> <p>1.1 'harmful substances' are those identified as marine pollutants in the IMDG Code...</p>	



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	(4) Empty packages used for the carriage of harmful substances are to be treated as harmful substances themselves unless adequate precautions have been taken to ensure that contain no residues.	
Regulation 2	Packages shall be adequate to minimize the hazard to the marine environment, having regard to their specific contents.	
Regulation 3	<p>Marking and Labelling</p> <p>(1) Packages containing harmful substances are to be durably marked with the correct technical name and... shall be durably marked or labeled to indicate that the substance is a marine pollutant. Such identification shall be supplemented... by use of the relevant UN number...</p>	Unicorn to note marking and labeling requirements.
Regulation 4	<p>Documentation</p> <p>(1) In all documents the correct technical name of each substance shall be used and identified by the addition of the words 'MARINE POLLUTANT'</p> <p>(2) Shipping documents supplied by the shipper shall include... a signed certificate or declaration that the shipment offered for carriage is properly packaged and marked, labeled or placarded... and in the proper condition for carriage to minimize the hazard to the marine environment.</p> <p>(3) Each ship carrying harmful substances shall have a special list or manifest setting forth the harmful substances on board and the location</p>	Unicorn to note documentation requirements, as well as certificate or declaration to be supplied by the shipper. Unicorn ships are to carry a special list or manifest or stowage plan, and a copy is to be kept ashore.



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	<p>thereof. A detailed stowage plan which sets out the location of the harmful substances on board may be used in place of such special list or manifest. Copies are to be retained on shore by the owner of the ship or his representative.</p> <p>(4) When the ship carries a special list or manifest or detailed stowage plan, required for the carriage of dangerous goods by [SOLAS]... the documents required by this regulation can be combined with those for dangerous goods. When... combined, a clear distinction shall be made between dangerous goods and harmful substances covered by this Annex.</p>	
Regulation 5	<p>Stowage Harmful substances shall be properly stowed and secured to minimize hazards to the marine environment.</p>	
Regulation 6	<p>[Makes provision for the prohibiting or limiting the carriage of certain harmful substances for sound scientific or technical reasons]</p>	
Regulation 7	<p>Exceptions</p> <p>(1) Jettisoning of harmful substances in packaged form is prohibited except to secure the safety of the ship or life at sea;</p> <p>(2) Appropriate measures must be taken to regulate the washing of leakages overboard.</p>	<p>Unicorn to note the prohibition on jettisoning harmful substances, and the duty to take appropriate measures to regulate the washing of any leakages overboard.</p>



Annex IV – Prevention of pollution by sewage from ships		
Reference	Applicable Legal Requirements	Application
Regulation 2	<p>Application</p> <p>The provisions apply to the following ships in international voyages:</p> <ul style="list-style-type: none"> - New ships of > 400 gt; - New ships of < 400 gt which are certified to carry more than 15 persons; - Existing ships of > 400 gt, five years after the date of entry of force of this Annex (i.e. 1 August 2010); - Existing ships < 400 gt which are certified to carry more than 15 persons, five years after the date of entry of force of this Annex (i.e. 1 August 2010). 	<p>Entered into force 27 September 2003. A revised annex was adopted in 2004 (entered into force on 1 August 2005).</p> <p>Any new Unicorn ships engaged in international voyages exceeding 400 gt or 15 crew must comply with these requirements.</p> <p>Existing ships required to comply by 1 August 2010.</p>
Regulation 3	<p>Exceptions</p> <p>Regulation 11 does not apply to:</p> <ul style="list-style-type: none"> - The discharge of sewage from a ship necessary for the purpose of securing the safety of the ships and those on board or saving a life at sea; or - If the discharge resulted from damage to a ship or its equipment if all reasonable precautions had been taken to prevent or minimize the discharge. 	Unicorn to note.
Regulation 4	<p>Surveys and Certification</p> <p>Every ship required to comply with this Convention (see r2 above) shall be subject to the following surveys:</p>	Survey and certification requirements apply to existing and new Unicorn ships.



	<ul style="list-style-type: none"> - Initial survey before being put into service; - A renewal survey at periods not exceeding five years; - An additional survey after a repair or when important repairs or renewals are made. 	
Regulation 5, 6, 7	<p>Issue or Endorsement of Certificate, Form of Certificate, Duration and Validity</p> <ul style="list-style-type: none"> - An International Sewage Pollution Prevention Certificate shall be issued after an initial survey or renewal in accordance with regulation 4, except with regard to existing ships to which this requirement will apply five years after the date of entry into force of the Annex. - The balance of these provisions provide for the form of the certificate, its duration and validity etc. 	For new ships, Unicorn is required to have an International Sewage Pollution Prevention Certificate . Existing ships will have to comply by August 2010.
Chapter 3	Equipment and Control of Discharge	
Regulation 9	<p>Sewage Systems</p> <p>Every ship which is required to comply with the provisions regulation 2 shall be equipped with the following sewage systems:</p> <ul style="list-style-type: none"> - A sewage treatment plant of the approved type; - An approved sewage comminuting and disinfecting system, fitted with facilities for the temporary storage of sewage when the ship is less than 3 NM from the nearest land; or - A holding tank with the capacity for the retention of all sewage, having regard to the operation of the ship, the number of persons on board and 	<p>Unicorn ships are to be fitted with STP or sewage comminuting and disinfectant tank or sewage holding tank.</p> <p>Discharge of sewage into the sea is prohibited, unless the described plant is in operation – and then only 3 nautical miles from land.</p>



	other relevant factors. The tank must have a means to indicate visually the amount of its contents.	
Regulation 10	Discharge pipelines must be fitted with a standard discharge connection as indicated in the regulation.	Unicorn to note requirement for a standard discharge connection.
Regulation 11	<p>Subject to regulation 3, the discharge of sewage into the sea is prohibited except when:</p> <ul style="list-style-type: none"> - The ship is discharging comminuted and disinfected sewage using an approved system in accordance with regulation 9.1.2 at a distance of more than 3 NM from the nearest land, or sewage which is not comminuted or disinfected at a distance of not more than 12 NM from the nearest land. Provided that sewage which has been stored in holding tanks shall not be discharged instantaneously but at a moderate rate when the ship is <i>en route</i> and proceeding at not less than 4 knots (rate shall be approved by the Administration based on standards developed by the organisation); - The ship has in operation an approved sewage treatment plant which has been certified to meet the operational requirements referred to in regulation 9.1.1, and - The test results of the plant are laid down in the ship's International Sewage Pollution Prevention Certificate; and - Additionally, the effluent shall not produce visible floating solids nor cause discoloration of the surrounding water. 	Unicorn to note permissible discharges. Sewage not comminuted or disinfected can be discharged if more than 12 nm from land, subject to the specified conditions in r11.



	<ul style="list-style-type: none"> - The above provisions do not apply to ships operating in the waters under the jurisdiction of a state and visiting ships from other states while they are in these waters and are discharging sewage in accordance with such less stringent standards as may be imposed by such state. - Where sewage is mixed with wastes or waste water covered by other Annexes of MARPOL 73/78, the requirements of those Annexes shall be complied with in addition to the requirements of this Annex. 	
Regulation 12	<p>Reception Facilities [Requires the government of State Parties to provide adequate reception facilities for the reception of sewage without causing delays to ships]</p>	<p>This regulation imposes no additional requirements on Unicorn. However, Unicorn Ships' masters should ensure that they obtain receipts from the operator of the reception facilities detailing the quantity of sewage transferred, together with the time and date of transfer.</p>

Annex V – Regulations for the Prevention of Pollution by Garbage from Ships		
Reference	Applicable Legal Requirements	Application
Regulation 1	<p><i>Garbage</i> means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously.</p>	<p>Entry into force: 31 December 1988</p> <p>The United Kingdom has acceded to this Annex.</p> <p>Note: Regulations relating to the prevention of pollution by garbage from ships have been promulgated in</p>



		<p>South African law as follows:</p> <ul style="list-style-type: none"> - <i>Prevention of pollution by garbage from ships regulations</i> GNR 1490 of 29 May 1992 - <i>Reception facilities for garbage from ships regulations</i> GNR 1491 of 29 May 1992
Regulation 2	Applies to all ships unless expressly provided otherwise.	Applies to all Unicorn ships.
Regulation 3	<p>Disposal of garbage Outside Special Areas</p> <p>(1) Subject to regulations 4,5 & 6:</p> <p>(a) The disposal into the sea of all plastics (including synthetic ropes, fishing nets plastic garbage bags and incinerator ashes from plastic products) is prohibited;</p> <p>(b) (i) dunnage, lining and packing materials which will float to be disposed of 25 nautical miles from nearest land, or further as far as practical;</p> <p>(ii) Food wastes and all other garbage (including paper produces, rags, glass, metal, bottles, crockery etc.) to be disposed of 12 nautical miles from the nearest land;</p> <p>(c) Garbage described in (b)(ii) above that has been comminuted or ground can be disposed of > 3 nautical miles from nearest land, provided that it can be passed through a screen with openings no greater than 25mm.</p>	Unicorn to note prohibition of disposal of garbage outside of special areas. Food waste may be disposed of 12 nm from nearest land, while food and other identified garbage waste that has been comminuted or ground and can pass through a 25mm sieve can be disposed of 3 nm from land.

	(2) When garbage is mixed with other discharges having different disposal or discharge requirements, the more stringent requirements shall apply.	
Regulation 4	<p>Special Requirements for disposal of garbage</p> <p>(1) Subject to the provisions of paragraph (2), the disposal of any materials regulated by Annex V is prohibited from floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources, and from all other ships when alongside or within 500m of such platforms.</p> <p>(2) The disposal into the sea of food wastes may be permitted if:</p> <ul style="list-style-type: none"> - Passed through a comminuter/grinder and capable of passing through a 25 mm sieve; - Floating platform is > 12 Nm from land 	Unicorn to note.
Regulation 5	<p>Disposal of garbage within special areas</p> <p>(1) The special areas established under the Annex are:</p> <ul style="list-style-type: none"> - the Mediterranean Sea - the Baltic Sea Area - the Black Sea area - the Red Sea Area - the Gulfs area - the North Sea - the Wider Caribbean Region and - Antarctic Area 	

	<p>(2) Subject to regulation 6:</p> <p>(a) Disposal into the sea of the following is prohibited:</p> <p>(i) all plastics (including synthetic ropes, fishing nets plastic garbage bags and incinerator ashes from plastic products);</p> <p>(ii) All other garbage (including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials.</p> <p>(b) Food waste is to be disposed of > 12Nm from nearest land;</p> <p>(c) Disposal of food waste in the Wider Caribbean Region which has been comminuted or ground and capable of passing through a 25mm sieve can be disposed of > 3 nautical miles from nearest land.</p> <p>(3) When garbage is mixed with other discharges having different disposal or discharge requirements, the more stringent requirements shall apply.</p> <p>(4) [Deals with provision of reception facilities by Relevant authorities]</p> <p>(5) [Deals with provisions relating to the Antarctica, including reception facilities and a requirement that the government of all ships flying its flag shall ensure that, before entering the Antarctic area, their flag ships have sufficient capacity on board for the</p>	
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	retention of all garbage while operating in the area and have concluded arrangements to discharge garbage at a reception facility after leaving the area.]	
Regulation 6	<p>Exceptions</p> <p>Regulations 3, 4 and 5 do not apply to:</p> <ul style="list-style-type: none"> (a) Disposal of garbage from a ship necessary for the purpose of securing the safety of the ship or those on board or saving a life at sea; (b) The escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after to prevent or minimize the escape; (c) The accidental loss of synthetic fishing nets, provided that all reasonable precautions have been taken to prevent such loss. 	
Regulation 7	<p>Reception Facilities</p> <p>[Deals with state party obligations to provide reception facilities for garbage from ships]</p>	<p>This regulation imposes no additional requirements on Unicorn.</p> <p>However, Unicorn Ships' masters should ensure that they obtain receipts from the operator of the reception facilities detailing the quantity of garbage disposed of, together with the time and date of transfer.</p>
Regulation 9	<p>Placards, garbage management plans and garbage record keeping</p> <p>(1) (a) Every ship > 12m in length overall shall display placards notifying the crew and passengers of the disposal requirements of</p>	<p>Requirements:</p> <ul style="list-style-type: none"> - Placards - Garbage Management Plan (including procedures on collecting, storing, processing and disposing of garbage,



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	<p>regulations 3 and 5 of this Annex;</p> <p>(b) 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 MARPOL, shall also be in English, French or Spanish.</p> <p>(2) Every ship > 400 gt, and every ship certified to carry 15 persons or more, shall carry a garbage management plan (GMP) which the crew shall follow. This plan shall provide written procedures for collecting, storing, processing and disposing of garbage, including the use of equipment on board. The GMP shall designate the person in charge of carrying out the plan, and must be in accordance with the Guidelines adopted by the Marine Environment Protection Committee of the Organisation by resolution MEPC.71(28).</p> <p>(3) Every ship > 400 gt, and every ship certified to carry 15 persons or more, engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention... shall be provided with a Garbage Record Book (GRB). Whether or not this book is part of the ship's official log-book, it shall be in the form specified in the appendix to the Annex:</p> <p>(a) Each discharge operation, or completed incineration, shall be recorded in the GRB and signed for on the date of incineration or discharge by the officer in charge. Each completed page is to be signed by the</p>	<p>including the use of equipment on board)</p> <ul style="list-style-type: none">- Garbage Record Book.
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	<p>Master. Entries shall be in English, Spanish or French.</p> <p>(b) The entry for each incineration or discharge shall include the date and time, position of the ship, description of the garbage and the estimated amount incinerated or discharged;</p> <p>(c) The GRB shall be kept on board the ship in a place available for inspection in a reasonable time, and must be preserved for 2 years after the last entry was made;</p> <p>(d) In the event of a discharge, escape or accidental loss referred to in regulation 6, an entry shall be made into the GRB of the circumstances and reasons for the loss.</p>	
	<p>(4) ...</p> <p>(5) Competent authorities may inspect and copy the GRB and may require the ship's master to certify it as a true copy so as to be admissible in any judicial proceedings.</p>	

Annex VI Regulations for the Prevention of Air Pollution from Ships		
Reference	Applicable Legal Requirements	Application
Regulation 1	Applies to all ships, except where expressly provided otherwise in regulations 3, 5, 6, 13, 15, 18 and 19 (3, 5, 6, 13, 15, 16 and 18).	<p>Entry into force: 19 May 2005</p> <p>The United Kingdom has acceded to this Annex.</p> <p>Note: Revisions to MARPOL Annex VI and the NOx Technical Code are expected to come into</p>



		force on 1 July 2010. Changes are reflected in orange.
Regulation 2	Provides definitions of various terms. Refer to full text for details.	
Regulation 3	<p>General Exceptions</p> <p>These regulations do not apply to:</p> <p>(c) Any emission necessary for the purpose of securing the safety of a ship or saving life at sea; or</p> <p>(d) Any emission resulting from damage to a ship or its equipment,...(i) provided that all reasonable precautions were taken...; and (ii) except if the owner or master acted with intent to cause damage, or recklessly...</p> <p>[The revised regulations provide exemptions for trials for ship emission reduction and control technology research and emissions from seabed mineral activities]</p>	Unicorn should note that these regulations do not apply regarding any emission necessary for the purpose of securing the safety of a ship or saving a life at sea. This would conceivably include the emission of CO ² from fire extinguishers required to put out an onboard fire.
Regulation 4	<p>Equivalentents</p> <p>[This regulation provides that alternative fittings, materials, appliances or materials may be used if they are at least as effective as that required by this Annex]</p>	
Chapter 2	Survey, certification and means of control	
Regulation 5	<p>Surveys</p> <p>(1) Every ship > 400 gt and every fixed is subject to the following surveys:</p> <p>[These regulations prescribe requirements for initial</p>	<p>Survey requirements:</p> <ul style="list-style-type: none"> - Initial Survey - Renewal Surveys - Intermediate survey (to be endorsed



	<p>surveys, renewal surveys as prescribed (or at least every 5 years), an intermediate survey within 3 months before or after the first anniversary date of the certificate (which survey takes the place of one of the annual surveys), an annual survey within 3 months before or after the each anniversary date, and an additional survey to be made after a repair].</p> <p>(2) ...</p> <p>(3) [Makes provision for who conducts the surveys, including by officers of the administration and surveyors nominated for the purpose or to organizations recognized by it].</p> <p>(4) (a) The equipment shall be maintained to conform with the provisions of this Annex and no changes shall be made in the equipment, systems, fittings, arrangements or material covered by the survey, without the express approval of the Administration...</p> <p>(b) Whenever an accident occurs to a ship or a defect is discovered which substantially affects the efficiency or completeness of its equipment... the master or owner shall report at the earliest opportunity to the administrator, nominated surveyor or recognized organisation responsible for issuing the relevant certificate.</p>	<p>on certificate issued under regulation 6 or 7)</p> <ul style="list-style-type: none"> - Annual survey (to be endorsed on certificate issued under regulation 6 or 7) - Additional survey after repair
<p>Regulation 6</p>	<p>Issue or endorsement of Certificate</p> <p>An International Air Pollution Prevention Certificate shall be issued after the initial or renewal survey to any ship > 400 gt.</p>	<p>Unicorn is required to have an International Air Pollution Prevention Certificate for its ships.</p>
<p>Regulation 7</p>	<p>[This regulation deals with the issue of an</p>	



	International Air Pollution Prevention Certificate by another Government]	
Regulation 8	The International Air Pollution Prevention Certificate must be in the prescribed form and at least in English, French or Spanish.	Unicorn to note that the certificate must be in the prescribed form.
Regulation 9	<p>Duration and validity of Certificate</p> <p>[This regulation is applicable to the administration issuing the certificate e.g. period shall not exceed 5 years, extensions e.g. if ship is not in a port in which it is to be surveyed when the certificate expires]</p> <p>(9) A certificate ceases to be valid if:</p> <ul style="list-style-type: none"> - The relevant surveys are not completed within the periods prescribed in regulation 5(1); - The certificate is not endorsed in accordance with regulation 5(1)(c) (5.1.3) or 5(1)(d) 5.1.4; or - Upon transfer of the ship to the flag of another state. 	Unicorn to note.
Regulation 11	<p>Detection of violations and enforcement</p> <p>[This regulation deals with obligations imposed on state parties to cooperate in detecting violations and enforcing the regulations, and also deals with other issues relating to inspections and enforcement]</p> <p>(2) A ship to which this Annex applies may, in any port or offshore terminal of a Party, be subject to inspection by officers appointed or authorized by that Party for the purpose of verifying whether the ship has emitted any of the substances covered by this Annex in violation of the provisions. Any violation will</p>	Unicorn to note that its ships may be inspected by officers of any Party to MARPOL.



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	be reported to the Administration for appropriate action.	
Chapter 3	Requirements for control of emissions from ships	
Regulation 12	<p><i>Ozone-depleting substances</i></p> <p>(1) Deliberate emissions of ozone-depleting substances shall be prohibited (subject to the regulation 3 general exceptions). Deliberate emissions include emissions occurring in the course of maintaining, servicing, repairing or disposing of systems or equipment, except that deliberate emissions do not include minimal releases associated with the recapture or recycling of an ozone-depleting substance. Emissions arising from leaks, whether or not deliberate, may be regulated by the Parties to the Protocol of 1997.</p> <p>(2) New installations which contain ozone-depleting substances shall be prohibited on all ships, except that new installations containing Hydrochlorofluorocarbons (HCFCs) are permitted until 1 January 2010.</p> <p>(3) The substances referred to in this regulation, and equipment containing such substances, shall be delivered to appropriate reception facilities when removed from ships.</p> <p>1. This regulation does not apply to permanently sealed equipment where there are no refrigerant charging connections or potentially removable</p>	<p>These regulations apply to any activities carried out on Unicorn ships that result in deliberate emissions of ozone-depleting substances, including emissions during maintenance, servicing and repair. New ships are prohibited from having installations that contain CFCs.</p>

- components containing ozone-depleting substances
2. [substantially the same as original (1)]
 - 3.1 Installations that contain ozone-depleting substances, other than HCFCs shall be prohibited:
 1. On ships constructed after 19 May 2005; or
 2. In the case of ships constructed before 19 May 2005 which have a contractual or actual delivery date of the equipment to the ship on or after 19 May 2005;
 - 3.2 Installations that contain HCFCs shall be prohibited:
 1. On ships constructed after 1 January 2020;
 2. In the case of ships constructed before 1 January 2020 which have a contractual or actual delivery date of the equipment to the ship on or after 1 January 2020
 4. ...
 5. Each ship subject to regulation 6.1 shall maintain a list of equipment containing ozone depleting substances;
 6. Each ship subject to regulation 6.1 that has rechargeable systems that contain ozone-depleting substances shall maintain an **ozone-depleting substances record book...**
 7. Entries into this record book must be recorded in terms of mass (kg) and shall be completed without



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	<p>delay in respect of the following:</p> <ol style="list-style-type: none"> 1. recharge, full or partial, of equipment containing ozone-depleting substances; 2. repair or maintenance of equipment containing ozone-depleting substances; 3. discharge of ozone-depleting substances to the atmosphere (deliberate and non-deliberate); 4. discharge of ozone-depleting substances to land-based reception facilities; and 5. supply of ozone-depleting substances to the ship. 	
<p>Regulation 13</p>	<p>Nitrogen Oxides (NOx)</p> <p>(1)(a) This regulation is applicable to:</p> <ol style="list-style-type: none"> (i) each diesel engine with a power output of more than 130kW which is installed in a ship constructed on or after 1 January 2000 (date deleted); and (ii) each diesel engine with a power output of more than 130kW which undergoes a major conversion on or after 1 January 2000 (except when demonstrated to the Administration that the engine is an identical replacement engine). <p>(b) This regulation does not apply to:</p> <ol style="list-style-type: none"> (i) emergency diesel engines fitted to lifeboats and any device or equipment designed to be used in an emergency; (ii) engines installed on ships solely engage in voyages within waters subject to the sovereignty 	<p>Unicorn to note the regulations applicable to the discharge of NOx from its ships' diesel engines. The operation of the engines is prohibited except where the emissions are within the prescribed limits.</p>



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	<p>or jurisdiction of the flag state provided that such engines are subject to an alternative NOx measure established by the administrator;</p> <p>(e) The Administration may allow exclusion of any diesel engine installed on a ship constructed... or which undergoes a major conversion... before the date of entry into force of the Protocol... provided that the ship is solely engaged in voyages to port or offshore terminals within the flag state.</p> <p>2(a) [Sets out what a major conversion means}</p> <p>(b) The NOx emissions resulting from the major conversion shall be documented in accordance with the NOx Technical Code (2008).</p> <p>3(a) <u>The operation of the diesel engines regulated is prohibited except when the emission of NOx is within the prescribed limits (see full version of regulation for prescribed limits);</u></p> <p>(b) The operation of the diesel engine is permitted when:</p> <p>(i) an approved exhaust gas cleaning system is applied to the engine to reduce onboard NOx emissions to at least the limits specified in paragraph (a) above;</p> <p>(ii) any equivalent method is applied to reduce the emissions to the limits specified.</p>	
<p>Regulation 14</p>	<p><u>Sulphur Oxides</u> <u>General Requirements</u></p> <p>(1) The sulphur content of any fuel used on board ships shall not exceed 4.5% m/m...</p>	<p>Unicorn to note that sulphur content of any fuel used on board is not to exceed 4.5% m/m.</p>

(2) ...

Requirements within Sox emission control areas

(3) SOx emission control areas are taken to include:

- (a) The Baltic Sea and the North Sea;
- (b) Any other area, including port areas, designated by the Organisation in accordance with the criteria and procedures contained in Appendix III to this Annex.

(4) While within control areas, at least one of the following shall be fulfilled:

- (a) Sulphur content of fuel not to exceed 1.5% M/m;
- (b) A prescribed exhaust gas cleaning system is applied to reduce the total emission (auxiliary and main propulsion engines) of SOx to 6.0 g SOx/kW.h or less. Waste streams from the use of such equipment shall not be discharged into enclosed ports, harbours or estuaries unless it can be thoroughly documented by the ship that such waste streams have no adverse impact on the ecosystem... based on criteria communicated by the port authority; or
- (c) Any other approved technological method is used to limit the SOx emissions to the equivalent level.

(5) ...

The 2008 revision brings in the following limits:

1. 4.5% m/m prior to 1 January 2012;
2. 3.5% m/m on or after after 1 January 2012;
3. 0.5% m/m on or after 1 January 2020



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	<p>(6) Ships using separate fuel oils to comply with paragraph 4(a)... shall allow sufficient time for the fuel oil service system to be fully flushed of fuel oil exceeding 1.5% m/m sulphur content prior to entering the control area. The volume of low-sulphur fuel oil... in each tank, and the position of the ship when the fuel-changeover operation is completed, shall be recorded in a prescribed logbook.</p> <p>(7) [deals with an exemption for 12 months immediately following entry into force of the present Protocol or an amendment]</p>	
<p>Regulation 15</p>	<p>Volatile Organic Compounds</p> <p>[This regulation provides that if VOCs from tankers are to be regulated, they shall be regulated in accordance with this regulation. (2) This means that a Party to the Protocol which designates ports or terminals under its jurisdiction in which VOC emissions are to be regulated shall submit a notification to the organisation, including information on the size of tankers to be controlled, on cargoes requiring vapour emission control systems, and the effective date of such control. The relevant government is obliged to ensure that vapour emission control systems are provided in ports and terminals designated, and are operated safely and in a manner to avoid undue delay of the ship].</p> <p>(5) All tankers subject to vapour emission control in accordance with (2) above shall be provided with a vapour collection system approved by the Administration, and shall use such system during</p>	<p>Unicorn to note requirements relating to VOCs, including requirements relating to vapour emissions control.</p> <p>15.6 A tanker carrying crude oil shall have on board and implement a VOC management plan approved by the Administration. Such a plan shall be prepared taking into account the guidelines developed by the Organisation. This plan shall be ship-specific and shall contain at least:</p> <ul style="list-style-type: none"> - written procedures for minimizing VOC emissions during loading, sea passage and discharge of cargo; - Give consideration to the additional VOC generated by crude oil washing; - Identify a person responsible for implementing the plan; <p>For ships on international voyages, be written in</p>



	<p>the loading of such cargoes.</p> <p>(6) This regulation only applies to gas carriers when the type of loading and containment systems allow for safe retention of non-methane VOCs on board, or their safe return ashore.</p>	<p>the working language of the master and officers and, if the working language is not English, French or Spanish, a translation into these languages shall be included.</p>
<p>Regulation 16</p>	<p><i>Shipboard Incineration</i></p> <p>(1) Shipboard incineration shall only be allowed in a shipboard incinerator;</p> <p>(2) (a) Each incinerator installed on or after 1 January 2000 shall meet the requirements contained in Appendix IV, and shall be approved by the Administrator;</p> <p>(b) incinerators installed on board a ship before the entry into force of the Protocol of 1997 can be excluded by the Administrator provided the ship is solely engaged in voyages within water subject to the sovereignty or jurisdiction of the flag state.</p> <p>(3) Nothing in this regulation affects the prohibition in, or other requirements of, the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto;</p> <p>(4) Shipboard incineration of the following substances is prohibited:</p> <p>(a) Annex I, II and III Cargo residues of the present Convention and related contaminated packaging material;</p> <p>(b) PCBs;</p> <p>(c) garbage containing more than trace levels of</p>	<p>Two additional prohibitions are added to the list previously regulation 16(4) now regulation 16.2.5 & 6:</p> <ul style="list-style-type: none"> - Sewage sludge and sludge oil either of which is not generated on board the ship; - Exhaust gas cleaning system residues



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- heavy metals; and
- (d) refined petroleum products containing halogen compounds.
- (5) Shipboard incineration of sewage sludge and sludge oil generated during the normal operation of the ship may also take place in the main or auxiliary power plant or boilers, but in those cases, shall not take place inside ports, harbors or estuaries.
- (6) Shipboard incineration of polyvinyl chlorides (PVCs) shall be prohibited, except in shipboard incinerators for which the IMO Type Approval Certificates have been issued.
- (7) All ships with incinerators... shall possess an manufacturer's operating manual;
- (8) Personnel responsible for operating any incinerator shall be trained and capable of implementing the guidance provided in the manufacturer's operating manual;
- (9) Monitoring of combustion flue gas outlet temperature shall be required at all times and waste shall not be fed into a continuous-feed shipboard incinerator when the temperature is below the minimum allowed temperature of 850°C. For batch-loaded shipboard incinerators, the unit shall be designed to that the temperature in the combustion chamber shall reach 600°C within 5 minutes of startup (and thereafter stabilize at a temperature not less than 850°C).
- (10) Nothing in this regulation precludes the development, installation and operation of



	alternative design shipboard thermal waste treatment devices that meet or exceed the requirements of this regulation.	
Regulation 17	<p>Reception Facilities</p> <p>[Deals with state party obligations to provide reception facilities for ships for ozone-depleting substances and equipment containing such substances, for exhaust gas cleaning residues from ships when discharge into the marine environment is not allowed under regulation 14 etc.]</p>	No specific requirements imposed on Unicorn. However, reception facilities should be used where available for disposal of ozone-depleting substances. A receipt for the disposal should be obtained.
Regulation 18	<p>Fuel Oil Quality</p> <p>(1)[This paragraph specifies fuel oil quality requirements – see full text for details]</p> <p>(2) this regulation does not apply to coal in solid form or nuclear fuels;</p> <p>(3) For each ship subject to regulations 5 & 6, details of the fuel oil for combustion purposes shall be recorded by means of a bunker delivery note containing the information specified in appendix V;</p> <p>(4) The bunker delivery note shall be kept on board the ship in such a place as to be readily accessible for inspection at all reasonable times, and must be retained for 3 years.</p> <p>(5)(a)& (b) [deals with competent authorities power to inspect, make copies etc]</p> <p>(6) The bunker delivery note shall be accompanied by a representative sample, to be sealed and signed by the supplier’s representative and the master or officer in charge of the bunker operation, and retained on</p>	<p>Requirements:</p> <ul style="list-style-type: none"> - Bunker delivery note, certified by the supplier that it meets the requirements of regulation 14 and 18; - Representative sample, sealed and signed, to be kept for at least 12 months



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	board until the fuel is consumed or at least 12 months. (7)&(8) [sets out action required by the Parties to the Protocol 1997 relating to regulation of fuel oil supplied to ships, and information sharing]	
Regulation 19	Requirements for platforms and drilling rigs [Not applicable to Unicorn's activities therefore not included in this register].	

International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969		
Reference	Applicable Legal Requirements	Application
	This Convention makes provision for States to take measures outside their territorial waters in respect of preventing or addressing oil pollution.	

Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention)		
Reference	Applicable Legal Requirements	Application
Done at London, Mexico City, Moscow, Washington: 29 December 1972 Accession: 7 August 1978	(This Convention sets out the obligations of the contracting parties to promote the effective control of all sources of marine pollution, and pledge themselves especially to take all practicable steps to prevent the pollution of the sea by the dumping of waste and other matter that is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea. Only relevant provisions of MARPOL are extracted for the purposes	Applies to the contracting parties to the Convention. The requirements of the Convention are included in this register. Reference should be made to specific national legal regimes for additional specific legal requirements. Note – if Unicorn does not engage in dumping, the only relevant provisions here will be in respect of emergency situations.



	of this register).	
Article 4(1)(a)	The dumping of waste or other matter listed in Annex I is prohibited.	Unicorn Shipping is prohibited from dumping waste or other matter listed in Annex I.
Annex I	<p>Annex I</p> <ol style="list-style-type: none"> 1. Organohalogen compounds. 2. Mercury and mercury compounds. 3. Cadmium and cadmium compounds. 4. Persistent plastics and other persistent synthetic materials, for example, netting and ropes, which may float or may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea. 5. Crude oil, fuel oil, heavy diesel oil, and lubricating oils, hydraulic fluids, and any mixtures containing any of these, taken on board for the purpose of dumping. 6. High-level radio-active wastes or other high-level radio-active matter, defined on public health, biological or other grounds, by the competent international body in this field at present the International Atomic Energy Agency, as unsuitable for 	



	<p>dumping at sea.</p> <p>7. Materials in whatever form (e.g. solids, liquids, semi-liquids, gases or in a living state) produced for biological and chemical warfare.</p> <p>8. The preceding paragraphs of this Annex do not apply to substances which are rapidly rendered harmless by physical, chemical or biological processes in the sea provided they do not:</p> <ul style="list-style-type: none"> (i) make edible marine organisms unpalatable, or (ii) endanger human health or that of domestic animals. <p>The consultative procedure provided for under Article XIV should be followed by a Party if there is doubt about the harmlessness of the substance.</p> <p>9. This Annex does not apply to wastes or other materials (e.g. sewage sludges and dredged spoils) containing the matters referred to in paragraphs 1-5 above as trace contaminants. Such wastes shall be subject to the provisions of Annexes II and III as appropriate.</p>	
<p>Article 4 (1)(b)</p>	<p>The dumping of wastes or other matter listed in Annex II requires a prior special permit.</p> <p>Annex II</p> <p>A. Wastes containing significant amounts of the</p>	<p>Unicorn shipping requires a prior special permit from the relevant authority should it wish to dump wastes or other matter listed in Annex II.</p>

matters listed below:

arsenic and its compounds
lead and its compounds
copper and its compounds
zinc and its compounds
organosilicon compounds
cyanides
fluorides
pesticides and their by-products not covered in Annex I

B. In the issue of permits for the dumping of large quantities of acids and alkalis, consideration shall be given to the possible presence in such wastes of the substances listed in paragraph A and to the following additional substances:

beryllium and its compounds
chromium and its compounds
nickel and its compounds
vanadium and its compounds

C. Containers, scrap metal and other bulky wastes liable to sink to the sea bottom which may present a serious obstacle to fishing or navigation.

D. Radio-active wastes or other radio-active



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	matter not included in Annex I. In the issue of permits for the dumping of this matter, the Contracting Parties should take full account of the recommendations of the competent international body in this field, at present the International Atomic Energy Agency.	
Article 4(1)(c)	The dumping of all other wastes or matter requires a prior general purpose.	
Article 5	The provisions of Article 4 do not apply where necessary to secure the safety of human life or of vessels at sea in the case of <i>force majeure</i> caused by stress of weather, or in any case which constitutes a danger to human life or a real threat to vessels, if dumping appears to be the only way of averting the threat.	
Article 5.2	Special permits may be issued as an exception to Article 4(1)(a), in emergencies, posing unacceptable risk relating to human health and admitting no other feasible solution.	
Article 6(1)(a)	Each contracting party is required to designate an appropriate authority or authorities to issue special permits required prior to and for the dumping of matter listed in Annex II and in the circumstances provided for in Article 5.2.	
Article 7	Each contracting party shall apply measures required to implement the Convention to all: <ul style="list-style-type: none"> - vessels registered in its territory or flying its flag - vessels loading in its territory or territorial seas matter which is to be dumped. 	



- vessels under its jurisdiction believed to be engaged in dumping.

International Convention on Oil Pollution Preparedness, Response and Co-Operation, 1990 (OPRC)

Reference	Applicable Legal Requirements	Application
Article 3(1),	<p>This Convention to establish measures to deal with oil pollution incidents.</p> <p>Ships are required to:</p> <ul style="list-style-type: none"> - carry a shipboard oil pollution emergency plan; - report incidents of pollution to coastal authorities <p>The Convention details action to be taken, requires the stockpiling of oil spill combating equipment, oil spill combating exercises and development of detailed plans.</p>	<p>Entered into force 13 May 1995.</p> <p>Acceded to by the United Kingdom.</p> <p>Note: The United Kingdom has implemented domestic legislation to give effect to this Convention, namely <i>The Merchant Shipping (Oil Preparedness, Response and Co-Operation Convention) Regulations 1998 (SI 1998 No. 1056)</i>, regulations 5 and (6).</p> <p>Unicorn is therefore required to carry an oil pollution emergency plan and the masters of its ships are required to report without delay any incident of pollution to the coastal authority.</p>

Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPCR-HNS Protocol)

Reference	Applicable Legal Requirements	Application
	<p>This protocol seeks to provide a global framework for international co-operation in responding to major threats or incidents of marine pollution</p>	<p>Entered into force on 14 June 2007. This Protocol has not been ratified or acceded to by the United Kingdom.</p>



AFS Convention

International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (AFS Convention)

Reference	Applicable Legal Requirements	Application
	As from 1 January 2008, all ships shall either not bear compounds on their hulls or external parts that contain organotin compounds which act as biocides in anti-fouling systems, or shall bear a coating that forms a barrier to such compounds leaching from the underlying non-compliant anti-fouling system.	<p>Entry into force: 17 September 2008</p> <p>Note: While the United Kingdom (the flag state of Unicorn's ships) has not yet acceded to this Convention, the European Commission adopted EC Regulation 782/2003 of 14 April 2003 which brought in requirements for all European Economic Area member states regarding the application of anti-fouling systems as from July 2003. It is understood that the United Kingdom is in the process of developing a system of domestic regulations to implement these requirements</p>
Article 3	<p>Unless otherwise specified in this Convention, this Convention shall apply to:</p> <p>(a) ships entitled to fly the flag of a Party;</p> <p>(b) ships not entitled to fly the flag of a Party, but which operate under the authority of a Party; and</p> <p>(c) ships that enter a port, shipyard, or offshore terminal of a Party, but do not fall within subparagraph (a) or (b).</p>	Unicorn to note.
Article 10	A Party shall ensure that ships entitled to fly its flag or operating under its authority are surveyed and certified in accordance with the regulations in Annex 4.	<p>Unicorn ships require an International Anti-Fouling System Certificate.</p> <p>Note: Annex 1 of the EC Regulation 782/2003 sets out requirements for survey and certification. Such surveys and certifications have</p>



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		for UK Registered vessels have been delegated to all UK recognized Classification Societies.
Article 11	<p>(1) A ship to which this Convention applies may, in any port, shipyard, or offshore terminal of a Party, be inspected by officers authorized by that Party for the purpose of determining whether the ship is in compliance with this Convention. Unless there are clear grounds for believing that a ship is in violation of this Convention, any such inspection shall be limited to:</p> <ul style="list-style-type: none"> (a) verifying that, where required, there is onboard a valid International Anti-fouling System Certificate or a Declaration on Anti-fouling System; and/or (b) a brief sampling of the ship's anti-fouling system that does not affect the integrity, structure, or operation of the anti-fouling system taking into account guidelines developed by the Organization. However, the time required to process the results of such sampling shall not be used as a basis for preventing the movement and departure of the ship. <p>(2) If there are clear grounds to believe that the ship is in violation of this Convention, a thorough inspection may be carried out taking into account guidelines developed by the Organization.</p> <p>(3) If the ship is detected to be in violation of this Convention, the Party carrying out the inspection may take steps to warn, detain, dismiss, or exclude the ship from its ports. A Party taking such action against a ship for the reason that the ship does not</p>	Unicorn to note that its ships may be inspected.



	comply with this Convention shall immediately inform the Administration of the ship concerned.	
Annex 4	<p>SURVEYS AND CERTIFICATION REQUIREMENTS FOR ANTI-FOULING SYSTEMS</p> <p>Regulation 1 - Surveys</p> <p>Ships of 400 gross tonnage and above referred to in article 3(1)(a) engaged in international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, shall be subject to surveys specified below:</p> <ul style="list-style-type: none"> (a) an initial survey before the ship is put into service or before the International Antifouling System Certificate (Certificate) required under regulation 2 or 3 is issued for the first time; and (b) a survey when the anti-fouling systems are changed or replaced. Such surveys shall be endorsed on the Certificate issued under regulation 2 or 3. <p>(2) The survey shall be such as to ensure that the ship's anti-fouling system fully complies with this Convention.</p>	Unicorn to note survey and certification requirements, including the requirement for a survey when the AFS are changed or replaced.

Ballast Water Convention & 1997 Guidelines		
International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004		
Reference	Applicable Legal Requirements	Application
All articles and annexes	This Convention makes provision for management of ballast water. The Convention provides two ballast water discharge standards: D1 (standards for ballast water exchange, to be carried out 200 nautical miles from the coastline in waters 200m deep where	This Convention has not yet entered into force, nor has it been acceded to by the United Kingdom, the flag state of Unicorn's ships.



	<p>possible), and D2 (standards for ballast water treatment). 14 supporting Guidelines are under development.</p>	<p>See also the Marine Guidance Note issued by the MCA (MGM 363(M+F)).</p>
	<p>While the Convention is not yet in force, its main requirements will include the following:</p> <ul style="list-style-type: none"> - Ships to carry an implement a Ballast Water Management Plan; - Ships to carry a Ballast Water Record Book. 	
<p>IMO Resolution A.868(20)</p>	<p>Guidelines for the Control and Management of Ships' Ballast Water to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens ('1997 Guidelines')</p> <p>These Guidelines include advice on how to lower the chances of taking on board harmful organisms along with ballast water, such as:</p> <ul style="list-style-type: none"> - Minimizing the uptake of organisms during ballasting, by avoiding areas in ports where populations of harmful organisms are known to occur, in shallow water and in darkness, when bottom-dwelling organisms may rise in the water column; - Cleaning ballast tanks, and removing on a regular basis any sediment that accumulates in the tanks and which may harbor harmful organisms; - Avoiding unnecessary discharge of ballast; - Undertaking ballast water management procedures, including exchanging ballast water at sea; non-release or minimal release of ballast water; and discharge to onshore 	<p>Adopted on 27 November 1997.</p> <p>The MCA strongly encourages UK registered ships to comply with the operational guidance contained in these 1997 Guidelines (full text available online at http://globallast.imo.org/868%20english.pdf), and to begin preparing and implementing the requirements for the new Ballast Water Convention and its Supporting Guidelines.</p>



reception and treatment facilities (if available).

Source: <http://globallast.imo.org/resolution.htm>

Ship Recycling Convention

The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

Reference	Applicable Legal Requirements	Application
	<p>This Convention is aimed at ensuring that ships, when recycled at the end of their operational lives, do not pose an unnecessary risk to, <i>inter alia</i>, the environment. Proposed Regulations deal with:</p> <ul style="list-style-type: none"> - Design, operation and preparation for ships to facility environmentally sound recycling; - Operation of ship recycling facilities in a sound manner; - Establishment of appropriate enforcement mechanisms for ship recycling, including certification and reporting requirements. 	<p>Adopted on 11 May 2009. This Convention is <u>not yet in force</u>.</p> <p>Note: UK-flagged vessels being exported from the UK for recycling could fall within the definition of waste and be subject to the European Community <i>Waste Shipments Regulation</i> as applied in the UK by the '<i>Transfrontier Shipment of Waste Regulations 1994 (SI 1994 No. 1137)</i>'. These are in turn implementing provisions of the Basel Convention, including the '<i>Technical Guidelines for the Environmentally Sound Management of the Full and Partial Dismantling of Ships</i>', 2002 (Basel Convention Annex III).</p> <p>See also IMO Guidelines on Ship Recycling, 2003.</p>

Removal of Wrecks

Nairobi International Convention on the Removal of Wrecks, 2007

Reference	Applicable Legal Requirements	Application
	No legal requirements currently apply to Unicorn. This Convention, once in force, is intended to provide a legal basis for coastal States to remove wrecks which pose a hazard to, amongst other things, the marine and coastal environment. It is intended to make ship owners financially liable, and will impose mandatory insurance or other financial security requirements.	Adopted on 18 May 2007. This Convention is <u>not yet in force</u> .

LIABILITY & COMPENSATION

International Convention on Civil Liability for Oil Pollution Damage, 1969 (as amended by the 1992 Protocol)

Reference	Applicable Legal Requirements	Application
	This Convention provides for compensation in respect of damage suffered from oil pollution. It includes provisions on strict liability and mandatory insurance.	Entered into at Brussels, 92 November 1969, Acceded to on 17 March 1976 Note: This Convention was incorporated into the domestic law of the United Kingdom through the Merchant Shipping (Oil Pollution) Act of 1971
Article 1	Oil is defined as meaning any persistent oil such as crude oil, fuel oil, heavy diesel oil, lubricating oil and whale oil, whether carried on board a ship as cargo or in the bunkers of such a ship.	
Article II	This Convention applies exclusively to pollution damage caused on the territory, including the	



	territorial sea, of a Contracting State and to preventive measures taken to prevent or minimize such damage.	
Article III	<p>(1) The owner of a ship... is liable for any pollution damage caused by oil which has escaped or been discharged from the ship as a result of an incident.</p> <p>(2) No liability for pollution damage arises if the owner can prove the damage:</p> <ul style="list-style-type: none"> - Resulted from an act of war... or natural phenomenon of an exceptional character; - Was caused by an act or omission with intent by a third party; - Was wholly caused by the negligence or wrongful act of any government or authority responsible for maintaining lights or other navigational aids. <p>(3) ...</p> <p>(4) No claim for compensation for pollution damage shall be made against the owner otherwise than in accordance with the convention.</p>	<p>Unicorn is strictly liable for any pollution damage caused by oil that has escaped or been discharged as the result of an incident.</p> <p>Unicorn to note circumstances under which it will not be held liable for pollution damage.</p>
Article IV	Where oil escapes or is discharged from two or more ships, the owners of all ships shall be held jointly and severally liable where the damage is not reasonably separable.	Unicorn to note.
Article V	<p>(1) Makes provision for limitation of liability to 2000 francs per ton to a maximum of 210 million francs.</p> <p>(2) However, if the incident occurred as a result of the actual fault or privity of the owner this limitation</p>	Unicorn to note limitations on liability, and the circumstances under which the limitation of liability is not available.



	<p>is not available.</p> <p>(3) To avail itself of the benefit of the limitation, the owner is required to constitute a fund for the total sum with the court or competent authority of any one of the contracting parties being an action under Article IX.</p> <p>(4) to (11)...</p>	
Article VI	[Limits liability to the fund created in accordance with Article V]	
Article VII	<p>The owner of ship carrying more than 2000 tons of oil in bulk as cargo is required to maintain insurance or other financial security to cover liability for pollution per V.</p> <p>(2) A certificate attesting to insurance or other financial security is in force shall be issued to each ship. This shall be issued or certified by the appropriate authority of the State of the ships registry after determining that the requirements of paragraph 1 of this Article have been complied with. This certificate shall be in the form of the annexed model and shall contain the following particulars:</p> <p>(a) name of ship and port of registration;</p> <p>(b) name and principal place of business of owner;</p> <p>(c) type of security;</p> <p>(d) name and principal place of business of insurer or other person giving security</p>	<p>Certificate of Insurance or Other Security ird Civil Liability for Oil Pollution Damage required.</p> <p>Insurance certificate required if carrying more than 2000 tons of oil.</p> <p>NOTE: A 'top-up' facility for pollution compensation co-exists with the CLC Convention, namely the <i>International Convention on the Establishment of an International Fund for Compensation of Oil Pollution Damage 1971</i>.</p>



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	<p>and, where appropriate, place of business where the insurance or security is established;</p> <p>(e) period of validity of certificate which shall not be longer than the period of validity of the insurance or other security.</p> <p>(4) Certificate to be carried on board and copy deposited with authorities who keep record of ships registry.</p>	
VIII	[Limits when claim can be made – 3 years from damage or six years from incident]	
IX	[Deals with courts where actions can be brought]	

Bunkers Convention 2001		
International Convention on Civil Liability for Bunker Oil Pollution & Damage		
Reference	Applicable Legal Requirements	Application
Articles 2, 3, 7	<p>This Convention applies to damage caused on the territory, including the exclusive economic zones, of State Parties. It is a free-standing instrument that covers pollution damage only.</p> <p>The Convention imposes strict liability on the ship owner for preventative measures and pollution damage arising from all types of bunker on board or originating from a ship (bunker oil is defined as any hydrocarbon mineral oil used or intended to be used</p>	<p>Commenced 21 November 2008, and acceded to by the United Kingdom.</p> <p>The Bunkers Convention was implemented in the United Kingdom by the Merchant Shipping (Oil Pollution) (Bunkers Convention) Regulations 2006, which amend Chapter 3 of Part 6 of the Merchant Shipping Act, 1995. See sections 4, 5, 6, 17, 18. Available online at http://www.opsi.gov.uk/si/si2006/20061244.htm</p>



	<p>for the operation or propulsion of a ship, and any residues of such oil).</p> <p>The key requirement of the Bunkers Convention are:</p> <ul style="list-style-type: none"> - the registered owner of a vessel is obliged to maintain compulsory insurance cover; - ships of over 1000 gross tonnage to maintain insurance or other financial security to cover the liability of the registered owner in an amount equal to the limits of liability under the applicable national or international regime. 	<p>Unicorn ships are required to carry a State Certificate in respect of insurance under the Bunkers Convention (i.e. Certificate of Insurance or Other Financial Security in respect of Civil Liability for Bunker Oil Pollution Damage, issued by the Secretary of State).</p>
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International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996 (HNS Convention)

Reference	Applicable Legal Requirements	Application
	<p>Not yet in force – envisages compensation to be paid to victims of accidents involving HNS.</p>	<p>Not yet in force.</p>

MARITIME SAFETY

International Convention for the Safety of Life at Sea (SOLAS) and Protocol of 1978

Reference	Applicable Legal Requirements	Application
	<p>SOLAS deals with various issues relating to Safety of Life at Sea.</p>	<p>SOLAS entered into force on 25 May 1980. The Protocol of 1978 entered into force on 3 February 2000.</p> <p>The United Kingdom has acceded to SOLAS and</p>



		<p>the Protocol of 1978.</p> <p>SOLAS has been incorporated into the domestic law of South Africa through the Merchant Shipping Act, Second Schedule <i>International Convention for the Safety of Life at Sea</i></p>
<p>Ch VII & Resolution MSC.4(48)</p>	<p>In terms of SOLAS Chapter VII , chemical tankers constructed on or after 1 July 1986 are required to comply with the provisions of the <u>International Code for the Construction of Ships Carrying Dangerous Chemicals in Bulk</u> (IBC Code)</p> <p>Carriers are required to comply with <u>International Bulk Chemical Code (IBC Code)</u>, which provides international standards for the safe transport by sea in bulk of liquid dangerous chemicals. The IBC Code prescribes design, construction and equipment standards for ships carrying bulk chemicals. The IBC Code seeks to minimize the risks to the ship, its crew and to the environment, having regard to the nature of the products carried. The IBC Code lists chemicals and their hazards, giving the ship type required to carry that product and the environmental hazard rating. Chemical tankers constructed before 1 July 1986 should comply with the requirements of the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code) – the predecessor of the IBC Code.</p>	<p>Unicorn ships are required to hold an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk.</p>
	<p>Chemicals which are carried in packaged or solid form or in bulk are regulated by Part A of SOLAS Chapter</p>	



	<p>VII - Carriage of dangerous goods. This Part includes provisions for the classification, packing, marking, labelling and placarding, documentation and stowage of dangerous goods.</p> <p>The IMDG Code was developed as a uniform international code for the transport of dangerous goods by sea covering such matters as packing, container traffic and stowage, with particular reference to the segregation of incompatible substances. The IMDG Code includes products considered to be marine pollutants. IMO's Maritime Safety Committee decided in principle, at its 73rd session in Nov-Dec 2000, to make some parts of the IMDG Code mandatory.</p> <p>Source: IMO Website</p>	
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The International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code)		
Reference	Applicable Legal Requirements	Application
S1.4, 2, 3, 4, 5, 6, 7, 8, 10	<p>The ISM code imposes requirements related to the development, implementation and maintenance of a safety management system (SMS). The objective of this SMS is, amongst other things, to provide for pollution prevention. Various SMS requirements are imposed by the ISM code. Given that the ISM code is audited and certified for conformance and a <u>Safety Management Certificate</u> issued as evidence that a ship is complying with the requirements of this code, the requirements are not reproduced in detail in this register. In brief, these requirements relate to:</p>	<p>The ISM Code is enacted into the domestic law of the United Kingdom through the Merchant Shipping (International Safety Management (ISM) Code) Regulations 1998)</p> <p>Unicorn ships are required to have a Safety Management Certificate.</p> <p>Refer to the ISM Code for full details.</p>



	<ul style="list-style-type: none"> - Policy requirements (s2) - Responsibility and authority (s3) - Designated Person (s4) - Master’s overriding authority and responsibility to make decisions with respect to pollution prevention (s5) - Resources and manning, familiarization, understanding, training of personnel (s6) - Establishment of procedures for key shipboard operations relating to pollution prevention, including defined and assigned tasks for qualified personnel (s7) - Emergency preparedness (s8) - Establishment of procedures to ensure that the ship is maintained in conformance with relevant rules, regulations and additional requirements (s10) 	
<p>13.1-13.6</p>	<p>The ship should be operated by a company that has been issued with a Document of Compliance (DOC).</p> <p>The DOC is valid only for ship types explicitly stated, and is subject to annual verification.</p> <p>A copy of the DOC should be placed on board each ship so that it can be produced when required. This copy does not have to be certified or authenticated</p>	<p>Unicorn Shipping is required to have a Document of Compliance (DOC).</p>
<p>13.7-13.11</p>	<p>The Safety Management Certificate (SMC) should be issued to a ship for a period not exceeding 5 years, and should be accepted as evidence that the ship is</p>	<p>Each Unicorn ship is required to have a Safety Management Certificate (SMC) issued by the</p>



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	<p>complying with the requirements of the ISM code.</p> <p>The validity of the SMC is subject to at least 1 interim verification, to take place between the 2nd and 3rd anniversary dates of the SMC.</p>	<p>flag state Administration.</p>
14.1-14.2	<p>An Interim DOC can be issued when a company is newly established or new ships are being added to an existing DOC.</p> <p>An Interim SMC may be issued: to new ships on delivery.</p>	