
STATUTORY INSTRUMENTS

1987 No. 551

The Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations 1987

PART V

SURVEYS AND RELATED MATTERS

Survey requirements

23.—(1) The structure, equipment, systems, fittings, arrangements and materials of a ship shall be subjected to the following surveys:

- (a) an initial survey before the INLS Certificate is issued for the first time, which shall include a complete examination of its structure, equipment, systems, fittings, arrangements and materials in so far as the ship is covered by these Regulations; an initial survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and materials comply with the applicable provisions of these Regulations;
- (b) a periodical survey at intervals not exceeding 5 years which shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and materials comply with the applicable provisions of these Regulations;
- (c) a minimum of one intermediate survey during the period of validity of the INLS Certificate; in cases where only one such intermediate survey is carried out in any one certificate validity period, it shall be held not before 6 months prior to, nor later than 6 months after, the half-way date of the certificate's period of validity; intermediate surveys, shall be such as to ensure that the equipment and associated pumps and piping systems comply with the applicable provisions of these Regulations and are in good working order; a record of such surveys in the form appropriate to an intermediate survey included in the form entitled "Endorsement for Annual and Intermediate Surveys" set out in Appendix V of Annex II to MARPOL 1973/78 shall be endorsed by the surveyor on the INLS Certificate;
- (d) an annual survey within 3 months before or after the anniversary date of the INLS Certificate which shall include a general examination to ensure that the structure, equipment, systems, fittings, arrangements and materials remain in all respects satisfactory for the service for which the ship is intended; a record of such survey in the form appropriate to an annual survey included in the form entitled "Endorsement for Annual and Intermediate Surveys" set out in Appendix V of Annex II to MARPOL 1973/78 shall be endorsed by the surveyor on the INLS Certificate;
- (e) an additional survey, either general or partial according to the circumstances, shall be made when it has been determined under regulation 25(3) to be necessary, or whenever any important repairs or renewals are made; such a survey shall ensure that the necessary repairs or renewals have been effectively made, that the materials and workmanship of such repairs or renewals are satisfactory, and that the ship is fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment; a record

of such survey shall be endorsed by the surveyor on the INLS Certificate, stating that on completion of the survey the ship complied with the relevant provisions of Annex II to MARPOL 1973/78.

(2) Every such survey in the case of a United Kingdom ship shall be carried out by a surveyor appointed by the Secretary of State; and application for such a survey shall be made by or on behalf of the owner to the Secretary of State.

(3) In the case of a chemical tanker in respect of which a BCH Code Certificate or an IBC Code Certificate has been or is to be issued any initial, periodical, intermediate, annual or additional survey required by this regulation may be combined respectively with an initial, periodical, intermediate, annual or additional survey required by regulation 4 of the BCH Code Regulations or regulation 4 of the IBC Code Regulations as the case may be; and in such case references in paragraphs (1)(a) to (e) to the INLS Certificate shall be construed as references to the BCH Code Certificate or IBC Code Certificate as the case may be.

Issue of INLS Certificate

24.—(1) Upon satisfactory completion of an initial or periodical survey the Secretary of State shall issue to a ship which complies with the relevant requirements of these Regulations (except one to which a BCH Code Certificate or an IBC Code Certificate is to be issued) an INLS Certificate. Such certificate shall be issued for a period not exceeding 5 years beginning on the date of completion of the survey in question.

(2) Where a chemical tanker in respect of which a BCH Code Certificate or an IBC Code Certificate has been or is to be issued is so constructed, equipped and arranged that it would, but for the exception contained in paragraph (1), be entitled under that paragraph to an INLS certificate covering substances other than those listed in the BCH Code or the IBC Code as the case may be, the Secretary of State shall, if the owner of the chemical tanker so requests, include in the BCH Code Certificate or IBC Code Certificate as the case may be, provisions covering carriage of those substances by that chemical tanker.

(3) An INLS Certificate shall cease to be valid—

- (a) if any survey required by regulation 23(1)(c) or (d) is not completed within the period specified for that survey; or
- (b) if any survey required by regulation 23(1)(e) is not completed within such reasonable time as the surveyor may specify; or
- (c) upon transfer of the ship to registry in another state.

(4) In either of the cases specified in sub-paragraphs (a) or (b) of paragraph (2) the owner shall deliver up the certificate issued in relation to the ship to the Secretary of State on demand.

(5) In the case of a ship which has transferred from registry in another state party to MARPOL 1973/78 to registry in the United Kingdom the Secretary of State may, subject to such requirements as to survey or otherwise as he may think fit, if he is satisfied that, notwithstanding that the surveys were not carried out by a surveyor appointed by the Secretary of State as required by regulation 23(2)—

- (a) the ship has already been subjected to a satisfactory initial or periodical survey and to any intermediate, annual or additional surveys required; and
- (b) the ship was issued by or on behalf of the government of that other state with an INLS Certificate which would, but for the change of registry, have remained valid; and
- (c) the condition of the ship and its equipment has been maintained in conformity with the provisions of these Regulations; and
- (d) since completion of the surveys referred to in sub-paragraph (a) no change has been made in the structure, equipment, systems, fittings, arrangements and materials covered by those

surveys without the sanction of the government of that other state or of the Secretary of State, except by direct replacement;

issue to that ship an INLS Certificate for a period to be determined by the Secretary of State, but expiring not later than the expiry date of the certificate referred to in sub-paragraph (b).

(6) The INLS Certificate shall be kept on board the ship and shall be available for inspection at all reasonable times.

Maintenance of condition after survey

25.—(1) The condition of the ship and its equipment shall be maintained so as to conform to the provisions of these Regulations.

(2) After any survey of the ship under regulation 23 has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements and materials covered by the survey, without the sanction of the Secretary of State, except by direct replacement.

(3) Whenever an accident occurs to a ship or a defect is discovered, either of which substantially affects the integrity of the ship or the efficiency or completeness of the equipment required by these Regulations, the master or owner of the ship shall report at the earliest opportunity to the Secretary of State, who shall, in the case of a United Kingdom ship, determine whether an additional survey is necessary. If the ship is in a port of another state the master or owner shall also report immediately to the appropriate authority of the government of the state in which the port is situated.

Equivalent

26. Where these Regulations require that a particular fitting, material, appliance or apparatus should be fitted in a ship, the Secretary of State may allow any other fitting, material, appliance or apparatus to be fitted if he is satisfied that such fitting, material, appliance or apparatus is at least as effective as that required by these Regulations.

Exemptions

27. The Secretary of State may exempt any ship or class or description of ship from any of the requirements of these Regulations, subject to such conditions as he may specify, and may alter or cancel any exemption so granted.