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STATUTORY INSTRUMENTS

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**2008 No. 3257**

**The Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008**

**PART 2**

**Sewage: Survey and Certification of Ships**

**Issue of Sewage Certificates by a Certifying Authority**

**11.**—(1) Subject to the payment of any fee due under the Merchant Shipping (Fees) Regulations 2006<sup>(1)</sup>, on being notified by a surveyor that the surveyor—

- (a) has carried out an initial survey or a renewal survey in respect of a ship to which this regulation applies; and
- (b) is satisfied at the date of the survey that the structure, equipment, systems, fittings, arrangements and materials of the ship fully comply with the requirements of Part 3,

a Certifying Authority must issue a Sewage Certificate in respect of that ship.

(2) Where a ship becomes a ship to which this regulation applies on transfer from the flag of another Contracting Government<sup>2</sup>, a Certifying Authority must issue a Sewage Certificate in respect of that ship where—

- (a) a Sewage Certificate has been issued in respect of the ship and was still valid immediately before the date of the transfer,
- (b) the Certifying Authority has caused a survey to be carried out in respect of the ship, and
- (c) the Certifying Authority is satisfied that—
  - (i) the condition of the ship and its equipment is maintained to conform with the provisions of Annex IV, so as to ensure that the ship is fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, and
  - (ii) no change, other than a change referred to in paragraph (3), has been made to the structure, equipment, systems, fittings, arrangements or materials of the ship covered by the last survey carried out under Regulation 4.1 of Annex IV without the approval of the Contracting Government<sup>2</sup> in question.

(3) The changes referred to in paragraph (2)(c)(ii) are the direct replacement of equipment and fittings.

(4) A Sewage Certificate issued under this regulation must be in English and in the form set out in the Appendix to Annex IV.

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<sup>(1)</sup> S.I. 2006/2055, to which there are amendments not relevant to these Regulations.