

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Prevention of Oil Pollution) Regulations 2019 (S.I. 2019/42) (“the 2019 Regulations”) and the Merchant Shipping (Prevention of Pollution by Sewage from Ships) Regulations 2020 (S.I. 2020/620) (“the 2020 Regulations”).

These Regulations implement amendments to Annex I (prevention of pollution by oil) and Annex IV (prevention of pollution by sewage from ships) to the International Convention for the Prevention of Pollution from Ships 1973 (MARPOL). The amendments were adopted by International Maritime Organization (IMO) Resolution MEPC.330(76) on 17th June 2021 and came into force on 1st November 2022.

The amendments comprise an exemption for unmanned non-self-propelled barges (“UNSP barges”) from the survey and certification requirements in Annexes I and IV and require a specified exemption certificate to be issued in each case. The amendments to Annex I are given effect by regulation 2(2), which amends regulation 7 of the 2019 Regulations (exemptions). The amendments to Annex IV are given effect by regulation 3(3), which inserts new regulation 6A (exemption for UNSP barges) into the 2020 Regulations.

The Regulations also make a number of consequential amendments to the 2020 Regulations (regulation 3(2), (4) and (5)) and to the Merchant Shipping (Fees) Regulations 2018 (S.I. 2018/1104) (regulation 4).

The Convention, and the Protocol of 1978 that modifies the Convention, and the amendments to it, may be obtained in copy from the IMO, 4 Albert Embankment, London SE1 7SR and is available on the Foreign, Commonwealth and Development Office (FCDO) treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch>). The text of the IMO Resolutions amending the Convention may be obtained from the IMO or can be found on the FCDO treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch>).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Prevention of Oil Pollution and Prevention of Pollution by Sewage from Ships) (Amendment) Regulations 2022.