

**Hong Kong Fleet Operation Advisory Committee**

**Proposed Amendments to the  
Merchant Shipping (Prevention of Oil Pollution) Regulations  
and the  
Merchant Shipping (Prevention of Pollution by Garbage) Regulation**

**Purpose**

The purpose of this paper is to seek members' views on the proposed amendments to the Merchant Shipping (Prevention of Oil Pollution) Regulations (Cap. 413A) and the Merchant Shipping (Prevention of Pollution by Garbage) Regulation (Cap. 413O) for the implementation of the amendments to the Annexes I and V respectively to the International Convention for the Prevention of Pollution from Ships (MARPOL).

**Background**

2. On 15 May 2015 and 28 October 2016, the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) adopted resolutions MEPC.266(68) and MEPC.277(70) to amend MARPOL Annexes I and V respectively. The former resolution amended MARPOL Annex I to clarify the scope of application of the requirements for sludge tank discharge piping and bilge-water piping specified in regulation 12 of the Annex. The latter resolution amended MARPOL Annex V to set out mandatory criteria for classifying cargoes as either harmful to the marine environment (HME) or non-HME and to implement changes associated with the record keeping of garbage discharge.

**Summary of the MARPOL Amendments**

3. The main amendments to MARPOL Annex I under MEPC.266(68) are as follows:

(a) the oil residue (sludge) tanks must have no discharge connections to the bilge system, oily bilge water holding tank(s), tank top or oily water separators, except that:

(i) the oil residue (sludge) tanks may be fitted with drains, with manually operated self-closing valves and arrangements for subsequent visual monitoring of the settled water that lead to an oily bilge water holding tank or bilge well, or an alternative arrangement provided such arrangement does not connect directly to the bilge discharge piping system; and

(ii) the sludge tank discharge piping and bilge-water piping may be connected to a common discharge connection provided the connection does not allow for the transfer of sludge to the bilge system.

(b) the amendments apply to all new ships of 400 gross tonnage and above constructed on or after 1 January 2017. Existing ships must comply with (a) above not later than the first renewal survey carried out on or after 1 January 2017.

4. The main amendments to MARPOL Annex V under MEPC.277(70) are as follows:

(a) to set out the specific criteria for classifying solid bulk cargoes as HME, along with a requirement for shippers of solid bulk cargoes, other than grain, to declare whether or not the cargoes are classified as HME in accordance with the criteria;

(b) to provide a new format of the Garbage Record Book by splitting the record book into two parts. Part I shall be used to record all discharges of garbage other than cargo residues and includes a new garbage category E-waste. Part II shall be used to record discharges of cargo residues from ships carrying solid bulk cargoes, covering both HME and non-HME cargo residues; and

- (c) to keep on board the receipts obtained from garbage reception facilities for a period of two years.

### **Proposed Legislation Amendments**

5. Subject to legal advice, we propose to amend the relevant provisions of Cap 413A and Cap 413O in order to comply fully with the amendments to MARPOL Annexes I and V. The relevant local legislation can be found by accessing the below websites:

- (i) Cap 413A -- <https://www.elegislation.gov.hk/hk/cap413A>; and
- (ii) Cap 413O -- <https://www.elegislation.gov.hk/hk/cap413O>

### **Consultation**

6. Members' comments, if any, are sought on our proposal to implement the amendments to the MARPOL by amending the regulations as stated in paragraph 5.

Marine Department

Multi-lateral Policy Division

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Enclosures:

Annex 1: IMO Resolution MEPC. 266(68)

Annex 2: IMO Resolution MEPC. 277(70)