

Shipping Consultative Committee

Revised Annex III of MARPOL 73/78

Purpose

1. The purpose of this paper is to seek members' views on implementing the revised Annex III of MARPOL 73/78, which is anticipated to enter into force internationally on 1 January 2010.

Backgrounds

2. On 13 October 2006 the Marine Environment Protection Committee (MEPC) of IMO adopted the Resolution MEPC.156(55), which amended the Regulations for the Prevention of Pollution by Harmful Substances carried by sea in Packaged Form (Annex III of MARPOL 73/78).

3. It is expected that the amendment shall enter into force internationally on 1 January 2010 in accordance with article 16 of the International Convention for the Prevention of Pollution from Ships, 1973.

The New Requirements of the revised Annex III

4. The revised Annex III maintains the structure of the existing MARPOL Annex III and the use of the term "Marine Pollutants". Changes are only made to Regulation 1 on "Application" and Regulation 4 on "Documentation" relating to stopover loading and unloading operations.

5. Criteria for the identification of harmful substances in packaged form are given in the Appendix of the revised Annex III. Under the revised Annex III, harmful substances are identified by one of the new categories, namely: Category: Acute 1; Category: Chronic 1 and Category: Chronic 2.

Implementation of International Requirements

6. HKSAR intends to implement the new Annex III by updating the relevant local legislation. The opportunity will also be used to repeal the existing legislation Cap.413H (*Merchant Shipping (Safety) (Dangerous Goods and Marine Pollutants) Regulation*) and replace it by two new pieces of sub-legislation i.e. the Merchant Shipping (Marine Pollutants) Regulation under Cap. 413 and Merchant Shipping (Safety) (Carriage of Dangerous Goods) Regulation under Cap. 369. The purpose is to separate the requirements in respect of marine pollution prevention from that of safety consideration to facilitate compliance.

Consultation

7. Members are invited to comment on the above proposal to implement the revised Annex III of MARPOL 73/78.

Marine Department
Multi-lateral Policy Division
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