



STATUTORY INSTRUMENTS.

S.I. No. 582 of 2016



SEA POLLUTION (PREVENTION OF OIL POLLUTION)
(AMENDMENT) (NO. 3) REGULATIONS 2016

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 10, 14 and 17 of the Sea Pollution Act 1991 (No. 27 of 1991) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) and for the purposes of giving further effect to Annex I to the MARPOL Convention, hereby make the following regulations:

1. These Regulations may be cited as the Sea Pollution (Prevention of Oil Pollution) (Amendment) (No. 3) Regulations 2016.

2. The Sea Pollution (Prevention of Oil Pollution) Regulations 2007 (S.I. No. 788 of 2007) are amended—

(a) in Regulation 4, by inserting after paragraph (4) the following:

“(5) The Minister may waive the requirements of Regulation 28(6) for the following oil tankers, if loaded in accordance with the conditions approved by the Minister taking into account the guidelines developed by the Organization¹:

- (a) oil tankers which are on a dedicated service, with a limited number of permutations of loading such that all anticipated conditions have been approved in the stability information provided to the master in accordance with Regulation 28(5);
- (b) oil tankers where stability verification is made remotely by a means approved by the Minister;
- (c) oil tankers which are loaded within an approved range of loading conditions;
- (d) oil tankers constructed before 1 January 2016 provided with approved limiting KG/GM curves covering all applicable intact and damage stability requirements.”,

(b) in Regulation 20(2)(b), by substituting ‘28(7)’ for ‘28(6)’,

¹ Refer to operational guidance provided in part 2 of the *Guidelines for verification of damage stability requirements for tankers* (MSC.1/Circ. 1461).

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 9th December, 2016.

(c) in Regulation 28, by substituting the following for paragraph (6):

“(6) (a) All oil tankers shall be fitted with a stability instrument, capable of verifying compliance with intact and damage stability requirements approved by the Minister having regard to the performance standards recommended by the Organization².

(b) Oil tankers constructed before 1 January 2016 shall comply with this paragraph at the first scheduled renewal survey of the ship after 1 January 2016 but not later than 1 January 2021.

(c) Notwithstanding the requirements of subparagraph (b), a stability instrument fitted on an oil tanker constructed before 1 January 2016 need not be replaced provided it is capable of verifying compliance with intact and damage stability, to the satisfaction of the Minister.

(d) For the purposes of Port State control under Regulation 11, the Minister shall issue a document of approval for a stability instrument fitted to an oil tanker in accordance with subparagraph (a).

(7) For oil tankers of 20,000 tonnes deadweight and above delivered on or after 6 July 1996, the damage assumptions set out in paragraph (2)(b) shall be supplemented by the following assumed bottom raking damage:

(a) longitudinal extent:

(i) ships of 75,000 tonnes deadweight and above:

0.6L measured from the forward perpendicular;

(ii) ships of less than 75,000 tonnes deadweight:

0.4L measured from the forward perpendicular;

(b) transverse extent: B/3 anywhere in the bottom;

(c) vertical extent: breach of the outer hull.”,

and

² Refer to part B, chapter 4, of the International Code on Intact Stability, 2008 (2008 IS Code), as amended; the *Guidelines for the Approval of Stability Instruments* (MSC.1/Circ. 1229), annex, section 4, as amended; and the technical standards defined in part 1 of the *Guidelines for verification of damage stability requirements for tankers* (MSC.1/Circ. 1461).

(d) in Schedule 2—

(i) by inserting after paragraph 5.7.4, in Form B of the Form of the Supplement to the Form of the International Oil Pollution Prevention Certificate, the following:

“5.7.5 The ship is provided with an Approved Stability Instrument in accordance with regulation 28(6).

5.7.6 The requirements of regulation 28(6) are waived in respect of the ship in accordance with regulation 3.6. Stability is verified by one or more of the following means:

.1 loading only to approved conditions defined in the stability information provided to the master in accordance with regulation 28(5).....

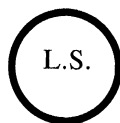
.2 verification is made remotely by a means approved by the Administration:

.3 loading within an approved range of loading conditions defined in the stability information provided to the master in accordance with regulation 28(5)

.4 loading in accordance with approved limiting KG/GM curves covering all applicable intact and damage stability requirements defined in the stability information provided to the master in accordance with regulation 28(5)

and

(ii) by substituting “paragraph 28.7” for “paragraph 28.6” in paragraph 5.8.4 of Form B of the Form of the Supplement to the Form of the International Oil Pollution Prevention Certificate.



GIVEN under my Official Seal,
1 December 2016.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Sea Pollution (Prevention of Oil Pollution) Regulations 2007 (S.I. No.788 of 2007), which give effect to Annex I to the International Convention for the Prevention of Pollution from Ships 1973, done at London on 2 November 1973, as modified by the Protocol of 1978 relating thereto, done at London on 17 February 1978 (MARPOL), in order to make it mandatory for Irish-registered vessels anywhere at sea and all vessels in the State which are subject to MARPOL Annex I to carry a stability instrument.

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