
STATUTORY INSTRUMENTS

1993 No.1681

MARINE POLLUTION

**The Merchant Shipping (Prevention of Pollution
by Garbage) (Amendment) Regulations 1993**

Made - - - - - *5th July 1993*
Coming into force - - - - - *20th July 1993*

The Secretary of State for Transport, in exercise of the powers conferred on him by article 2 of the Merchant Shipping (Prevention of Pollution by Garbage) Order 1988(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Prevention of Pollution by Garbage) (Amendment) Regulations 1993 and shall come into force on 20th July 1993.

Amendments of 1988 Regulations

2.—(1) The Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988(2) shall be amended as follows.

(2) In regulation 1(2) the definition of “Special Area” shall be omitted.

(3) At the end of regulation 1 there shall be added the following paragraph—

“(3) For the purposes of these Regulations a Special Area is any of the following areas, that is to say the Baltic Sea area, the North Sea area, the Antarctic area, and the Wider Caribbean Region; and the said areas are respectively defined as follows—

(a) “the Baltic Sea area” means the Baltic Sea proper with the Gulf of Bothnia and the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57°44.8'N;

(b) “the North Sea area” means all sea areas within the following boundaries (including the North Sea proper and the English Channel and its approaches)—

(i) to the north, the boundary constituted by the 62°N parallel from Norway westward to 4°W meridian and thence southward to Scotland;

(1) S.I.1988/2252, amended by S.I.1993/1581.

(2) S.I.1988/2292.

- (ii) to the east, the boundary constituted by the parallel 57°44.8'N east of the Skaw in the Skagerrak;
 - (iii) to the south, the boundary constituted by the parallel 48°30'N from France westward to 5°W meridian and thence northward to England;
 - (c) “the Antarctic area” means the sea area south of latitude 60°S;
 - (d) “the Wider Caribbean Region” means the Gulf of Mexico and Caribbean Sea proper including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by the 30°N parallel from Florida eastward to 77°30'W meridian, thence a rhumb line to the intersection of 20°N parallel and 59°W meridian, thence a rhumb line to the intersection of 7°20'N parallel and 50°W meridian, thence a rhumb line drawn southwesterly to the eastern boundary of French Guiana.”
- (4) For regulation 6 there shall be substituted the following regulations—

“**6.**—(1) Subject to paragraph (2) of this regulation, the disposal from a ship into the sea within a Special Area of food wastes is prohibited except where it is made as far as practicable, and in any case not less than 12 miles, from the nearest land.

(2) Subject to regulation 7, the disposal into the sea within the Wider Caribbean Region of food wastes which have been comminuted or ground to the required standard is prohibited except where it is made as far as practicable, and in any case not less than 3 miles, from the nearest land.

6A. A United Kingdom ship shall not enter the Antarctic area unless—

- (a) it has sufficient capacity for the retention on board of all garbage while operating in the area; and
- (b) it has concluded arrangements for the discharge of retained garbage at a reception facility after it has left the area.”

Signed by authority of the Secretary of State for Transport

5th July 1993

Caithness
Minister of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988. They give effect to amendments to Annex V to the International Convention for the Prevention of Pollution from Ships 1973. The amendments (in the form of amendments to the 1978 Protocol relating to the Convention) were adopted by the Marine Environment Protection Committee (“MEPC”) of the International Maritime Organization (“IMO”) on 16th November 1990 (at its 30th Session) and 4th July 1991 (at its 31st Session)

The amendments adopted by the MEPC at its 30th Session add the Antarctic area to the list of special areas to which stricter discharge requirements apply and, *inter alia*, require ships entering the area to have capacity for the retention of garbage while in the area. The amendments adopted by the MEPC at its 31st Session add the Wider Caribbean Region to the list of special areas but modify the stricter discharge requirements in certain cases as regards the discharge of food wastes in that Region. The addition of the Antarctic area and of the Wider Caribbean Region is given effect by an amendment of the definition of “Special Area” which brings the definitions of all Special Areas into the 1988 Regulations (instead of defining them by reference to a Department of Transport Merchant Shipping Notice).

The amendments adopted by the MEPC are set out in, respectively, Annex 2 to Resolution MEPC 42(30) and the Annex to Resolution MEPC48(31), copies of which may be obtained from IMO, 4 Albert Embankment, London SE1 7SR.