

2024 No. 570

MARINE POLLUTION

MERCHANT SHIPPING

The Merchant Shipping (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 2024

<i>Made</i>	- - - -	<i>30th April 2024</i>
<i>Laid before Parliament</i>		<i>1st May 2024</i>
<i>Coming into force</i>		<i>23rd May 2024</i>

The Secretary of State, in exercise of the powers conferred by articles 4, 5 and 6 of the Merchant Shipping (Prevention of Pollution by Sewage and Garbage) Order 2006(a), articles 2(1), (2)(a) to (g), (3) and 3 of the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996(b) and sections 128(5) and (6) and 302(1) of the Merchant Shipping Act 1995(c), and with the consent of the Treasury, makes the following Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Merchant Shipping (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 2024 and come into force on 23rd May 2024.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020

2.—(1) The Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020(d) are amended as follows.

(2) In regulation 12(1)(a) (garbage record keeping), for “400” substitute “100”.

Amendment of the Merchant Shipping (Fees) Regulations 2018

3.—(1) The Merchant Shipping (Fees) Regulations 2018(e) are amended as follows.

(2) In the table in paragraph 5 of Part 1 of Schedule 1 (fees under the Merchant Shipping Act 1995), under heading J (prevention and control of pollution), in the entry for the Merchant

(a) S.I. 2006/2950, to which there is an amendment not relevant to these Regulations.
(b) S.I. 1996/282, amended by the Marine and Coastal Access Act 2009 (c. 23), Schedule 4, Part 1, paragraphs 3(1) to (3), S.I. 2022/844 and S.I. 2015/664.
(c) 1995 c. 21, amended by the Merchant Shipping (Pollution) Act 2006 (c. 8), section 2. There are amendments to section 128 which are not relevant to these Regulations.
(d) S.I. 2020/621, amended by S.I. 2024/570.
(e) S.I. 2018/1104, amended by S.I. 2020/620 and 2022/1234. There are other amendments but none is relevant.

Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020, in the third column, for “None” substitute “2024/570”.

Signed by authority of the Secretary of State for Transport

30th April 2024

Davies of Gower
Parliamentary Under Secretary of State
Department for Transport

We consent to the making of these Regulations

29th April 2024

Amanda Milling
Joy Morrissey
Two of the Lords Commissioners of His Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020 (S.I. 2020/621) (“the Garbage Regulations”) to implement an amendment to Annex V (prevention of pollution by garbage from ships) to the International Convention for the Prevention of Pollution from Ships, 1973 (“MARPOL”). The amendment was adopted by International Maritime Organization (IMO) Resolution MEPC.360(79) on 16th December 2022 and comes into force on 1st May 2024.

Regulation 2 amends regulation 12 of the Garbage Regulations to give effect to the amendment to Annex V of MARPOL. This amendment extends the requirement in regulation 10.3 of Annex V of MARPOL to provide a Garbage Record Book to ships of 100 gross tonnage and above. This requirement previously applied only to ships of 400 gross tonnage and above.

Regulation 3 makes a consequential amendment to the entry for the Garbage Regulations in Schedule 1 to the Merchant Shipping (Fees) Regulations 2018 (S.I. 2018/1104).

MARPOL, the Protocol of 1978 modifying MARPOL, the amendments to it including Resolution MEPC.360(79), may be obtained in copy from the IMO, 4 Albert Embankment, London SE1 7SR and are available on the Foreign, Commonwealth and Development Office (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.

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