

Draft Order laid before Parliament under section 128(8)(a) of the Merchant Shipping Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No. XXX

MARINE POLLUTION

The Merchant Shipping (Control of Harmful Anti-Fouling Systems on Ships) Order 2022

Made - - - - *xxx 2022*
Coming into force - - *xxx 2022*

At the Court at Buckingham Palace, the xxx day of xxx
Present,
The King's Most Excellent Majesty in Council

By section 128(1)(e) of the Merchant Shipping Act 1995(1), His Majesty may by Order in Council make such provision as He considers appropriate for the purpose of giving effect to any international agreement not mentioned in paragraphs (a) to (da) of section 128(1) which relates to the prevention, reduction or control of pollution of the sea or other waters by matter from ships.

The International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001(2), contains provision relating to such matters and has been ratified by the United Kingdom.

A draft of this Order has, in accordance with section 128(8)(a) of the Merchant Shipping Act 1995, been laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, His Majesty, in exercise of the powers conferred by section 128(1)(e), (3) and (4) of the Merchant Shipping Act 1995, is pleased, by and with the advice of His Privy Council, to order as follows.

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- (1) 1995 c. 21. Section 128(1)(e) was amended by the Merchant Shipping (Pollution) Act 2006 (c. 8), section 2(1) and (3). Section 128, subsections (3) and (4) were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 29(1), Schedule 6, paragraph 3. There are other amendments but none is relevant.
- (2) Cmnd 8284. The Convention was adopted on 18th October 2001 and came into force on 17th September 2008. The Convention may be obtained in copy from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign, Commonwealth and Development Office treaties database (<https://treaties.fcdo.gov.uk/awweb/pdfopener?md=1&did=70021>). The Convention has been amended by International Maritime Organization (IMO) Resolution MEPC.331(76) which was adopted by the IMO on 17th June 2021 and comes into force on 1st January 2023. The IMO Resolution is available from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign, Commonwealth and Development Office treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>).