

---

STATUTORY INSTRUMENTS

---

**1996 No. 2154**

**The Merchant Shipping (Prevention  
of Oil Pollution) Regulations 1996**

**PART I**

**GENERAL**

**Citation, commencement, interpretation and revocation**

**1.—**(1) These Regulations may be cited as the Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 and shall come into force on 17th September 1996.

(2) In these Regulations, except where the context otherwise requires—

“amidships” means at the middle of the length (L);

“Annex I” means Annex I to the Convention (which sets out regulations for the prevention of pollution by oil);

“anniversary date” means the date in each year corresponding to the date of expiry of the IOPP Certificate or UKOPP Certificate;

“approved” means approved by the Secretary of State or by a Certifying Authority specified in Merchant Shipping Notice M.1645 in relation to any equipment or arrangements;

“area” in relation to a ship shall be calculated in all cases to moulded lines;

“breadth” (B) means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material, measured in metres;

“central tank” means any tank inboard of a longitudinal bulkhead;

“Certifying Authority” means the Secretary of State or any person authorised by the Secretary of State and includes in particular (if so authorised) Lloyd’s Register of Shipping, the British Committee of Bureau Veritas, the British Committee of Det Norske Veritas, the British Committee of Germanischer Lloyd, and the British Technical Committee of the American Bureau of Shipping;

“chemical tanker” means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an oil tanker when carrying a cargo or part cargo of noxious liquid substances in bulk;

“clean ballast” means the ballast in a tank which, since oil was last carried therein, has been so cleaned that the effluent therefrom, if it were discharged from a ship which is stationary into clean calm water on a clear day would not produce visible traces of oil on the surface of the water or on adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines. If the ballast is discharged through an approved oil discharge monitoring and control system, evidence based on such a system that the oil content of the effluent did not exceed 15 ppm shall be determinative that the ballast was clean, notwithstanding the presence of visible traces referred to above;

“combination carrier” means a ship designed to carry either oil or solid cargoes in bulk;

“controlled waters” means the waters specified as areas within which the jurisdiction and rights of the United Kingdom are exercisable by the Merchant Shipping (Prevention of Pollution) (Limits) Regulations 1996<sup>(1)</sup>;

“the Convention” means the International Convention for the Prevention of Pollution from Ships 1973, including its protocols, Annex I (but no other Annex) and appendices thereto<sup>(2)</sup>, as amended by the Protocol of 1978 to that Convention<sup>(3)</sup> and includes all the amendments adopted by the Organisation’s Marine Environment Protection Committee up to November 4th 1994 and any further amendments considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“Convention country” means a country which is a Party to the Convention;

“crude oil” means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation, and includes—

- (a) crude oil from which certain distillate fractions may have been removed; and
- (b) crude oil to which certain distillate fractions may have been added;

“crude oil tanker” means an oil tanker engaged in the trade of carrying crude oil;

“deadweight” (DW) means the difference in metric tons between the displacement of a ship in water of a specific gravity of 1.025 at the load waterline corresponding to the assigned summer freeboard and the lightweight of the ship;

“discharge”, in relation to harmful substances or effluents containing such substances, means any release, howsoever caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying; but does not include—

- (a) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter signed in London on 13 November 1972<sup>(4)</sup>; or
- (b) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (c) release of harmful substances for purposes of legitimate scientific research into pollution abatement or control;

and “to discharge” shall be constructed accordingly;

“existing ship”, without prejudice to regulation 17(2), means a ship which is not a new ship;

“filtering equipment” mean filters or any combination of separators and filters which are designed to produce effluent containing not more than 15ppm of oil;

“flag state” means the state whose flag a ship is entitled to fly;

“forward and after perpendiculars” shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the foreside of the stem on the waterline on which the length is measured;

“Government ship” has the same meaning as in section 308(4) of the Merchant Shipping Act 1995<sup>(5)</sup>;

“GT” means gross registered tonnage and the gross registered tonnage of a ship having alternative gross registered tonnages shall be taken to be the larger of those tonnages;

---

(1) S.I.1996/2128.  
(2) Cmnd. 5748.  
(3) Cmnd. 7347.  
(4) Cmnd. 5169.  
(5) 1995 c. 21.

“Guidelines and Specifications for oil discharge monitoring and control systems for oil tankers” means Resolution A496(XII) adopted by the International Maritime Organisation and contained in the 1987 Edition of Oily Water Separators and Monitoring Equipment, published by that Organisation;

“harmful substance” means any substance which, if introduced into the sea, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or interfere with other legitimate uses of the sea, and includes oil;

“instantaneous rate of discharge of oil content” means the rate of discharge of oil in litres per hour at any instant divided by the speed of the ship in knots at the same instant;

“IOPP Certificate” means the International Oil Pollution Prevention Certificate issued in accordance with the Convention;

“length” (L) means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. The length (L) shall be measured in metres;

“lightweight” means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects;

“major conversion” means a conversion of an existing ship—

- (a) which substantially alters the dimensions or carrying capacity of the ship; or
- (b) which changes the type of the ship; or
- (c) the intent of which, in the opinion of the Secretary of State, is substantially to prolong its life; or
- (d) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the Protocol<sup>(6)</sup> not applicable to it as an existing ship;
- (e) but conversion of—
- (f) an existing oil tanker of 20,000 tons deadweight and above to meet the requirements of regulation 18; or
- (g) an existing oil tanker to meet the requirements of regulation 31;
- (h) shall not be deemed to constitute a major conversion;

“Marine Safety Agency” means the Marine Safety Agency of the Department of Transport;

“Merchant Shipping Notice” means a Notice described as such and issued by the Marine Safety Agency; and any reference to a particular Merchant Shipping Notice includes a reference to any document amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“mile” means an international nautical mile that is to say a distance of 1,852 metres;

“nearest land”: in relation to all land other than the part of Australia specified below, “from the nearest land” means from the nearest base-line from which the territorial sea of any territory is established in accordance with the United Nations Convention on the Law of the Sea<sup>(7)</sup>; and in relation to the part of the North-eastern coast of Australia which lies between the points 11°00'S, 142°08'E and 24°42'S, 153°15'E, “from the nearest land” means from the nearest of the straight lines joining consecutively the following points—

---

<sup>(6)</sup> Cmnd. 7347.

<sup>(7)</sup> Cmnd. 8941.

11°00'S, 142°08'E; 10°35'S, 141°55'E; 10°00'S, 142°00'E; 9°10'S, 143°52'E; 9°00'S, 144°30'E; 13°00'S, 144°00'E; 15°00'S, 146°00'E; 18°00'S, 147°00'E; 21°00'S, 153°00'E and 24°42'S, 153°15'E;

“new ship”, except as provided in regulation 17(1), means a ship—

- (a) for which the building contract was placed after 31 December 1975; or
- (b) in the absence of a building contract, the keel of which was laid or which was at a similar stage of construction after 30 June 1976; or
- (c) the delivery of which is after 31 December 1979; or
- (d) which has undergone a major conversion—
  - (i) for which the contract was placed after 31 December 1975; or
  - (ii) in the absence of a contract, the construction work of which was begun after 30 June 1976; or
  - (iii) which is or was completed after 31 December 1979;

“oil” means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products, other than oil-like substances which are subject to the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations 1987<sup>(8)</sup>;

“oil fuel” means any oil used as fuel in connection with the propulsion and auxiliary machinery of the ship in which such oil is carried;

“oil tanker” means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes a combination carrier or a chemical tanker when it is carrying a cargo or part cargo of oil in bulk;

“oily mixture” means a mixture with any oil content;

“permeability” of a space means the ratio of the volume within that space which is assumed to be occupied by water to the total volume of that space;

“ppm” means parts per million;

“product carrier” means an oil tanker engaged in the trade of carrying oil other than crude oil;

“proper officer” means a consular officer appointed by Her Majesty’s Government in the United Kingdom and, in relation to a port in a country outside the United Kingdom which is not a foreign country, also any officer exercising in that port functions similar to those of a superintendent;

“Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters” means Resolution A393(XI) of that title adopted by the International Maritime Organisation as modified by the Marine Environment Protection Committee’s Resolution 60(33) contained in the 1987 Edition of Oily Water Separators and Monitoring Equipment published by that Organisation;

“sea” includes any estuary or arm of the sea;

“segregated ballast” means the ballast water introduced into a tank which is completely separated from the cargo oil and oil fuel system and which is permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious liquid substances;

“separating equipment” means either separators or filters, or any combination of them, which are designed to produce effluent containing not more than 100 ppm of oil;

---

(8) S.I. 1987/551, amended by S.I. 1990/2604 and S.I. 1994/2083.

“ship” means a vessel of any type whatsoever operating in the marine environment including waters navigable by sea-going vessels and includes submersible craft, floating craft and a structure which is a fixed or floating platform but excludes hovercraft;

“slop tank” means a tank specifically designed for the collection of tank drainings, tank washings and other oily mixtures;

“special area” means a sea area where, for recognised technical reasons in relation to its oceanographical and ecological condition and to the particular character of its traffic, the adoption of special mandatory methods for the prevention of sea pollution by oil is required, and shall include those areas listed in regulation 16;

“Specifications for Oil Tankers with Dedicated Clean Ballast Tanks” means the International Maritime Organisation’s Resolution Number A495 (XII) contained in the 1982 edition of Dedicated Clean Ballast Tanks published by that Organisation;

“Specifications for Oil/Water Interface Detectors” means the International Maritime Organisation’s Resolution Number MEPC 5(XIII), contained in the 1987 edition of Oily Water Separators and Monitoring Equipment, published by that Organisation;

“Specifications for the Design, Operation and Control of Crude Oil Washing Systems”, means the International Maritime Organisation’s Resolution Number A446(XI) contained in the 1983 edition of Crude Oil Washing Systems, published by that Organisation;

“surveyor” means a surveyor appointed by a Certifying Authority;

“tank” means an enclosed space which is formed by the permanent structure of a ship and which is designed for the carriage of liquid in bulk;

“UKOPP Certificate” means a certificate entitled the United Kingdom Oil Pollution Prevention Certificate issued by a Certifying Authority and evidencing compliance with the requirements of these Regulations;

“United Kingdom ship” has the same meaning as in section 85(2) of the Merchant Shipping Act 1995;

“volume” in relation to a ship shall be calculated in all cases to moulded lines;

“wing tank” means any tank adjacent to the side shell plating.

(3) In these Regulations—

- (a) a reference to a numbered regulation is, unless otherwise stated, a reference to the regulation of that number in these Regulations; and
- (b) a reference in a regulation to a numbered paragraph is, unless otherwise stated, a reference to the paragraph of that number in that regulation.

(4) The following Regulations are hereby revoked—

- (a) The Merchant Shipping (Prevention of Oil Pollution) Regulations 1983<sup>(9)</sup>;
- (b) The Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulations 1985<sup>(10)</sup>;
- (c) The Merchant Shipping (Prevention of Oil Pollution) (Amendment Regulations 1992<sup>(11)</sup>);
- (d) The Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulations 1993<sup>(12)</sup>;

---

<sup>(9)</sup> S.I. 1983/1398.

<sup>(10)</sup> S.I. 1985/2040.

<sup>(11)</sup> S.I. 1992/98.

<sup>(12)</sup> S.I. 1993/1680.

- (e) The Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulations 1994(13).

### **Applications and exemptions**

2.—(1) Unless expressly provided otherwise, these Regulations apply to—

- (a) United Kingdom ships;
- (b) other ships while they are within the United Kingdom or the territorial waters thereof; and
- (c) Government ships registered in the United Kingdom and Government ships not so registered but held for the purposes of Her Majesty's Government in the United Kingdom.

(2) These Regulations do not apply to any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service.

(3) The Secretary of State may exempt a ship of a new type whose constructional features are such as to render the application of any of the provisions of regulations 10 to 32 relating to construction and equipment unreasonable or impracticable from those provisions, provided that the construction and equipment of that ship provides equivalent protection against pollution by oil, having regard to the service for which it is intended. Particulars of any such exemption granted by the Secretary of State shall be indicated in the IOPP or UKOPP Certificate referred to in regulation 7.

(4) In ships, other than oil tankers, fitted with cargo spaces which are constructed and used to carry oil in bulk of an aggregate capacity of 200 cubic metres or more, the requirements of regulations 10, 12, 13, 15(1), (2) and (3), 16, 24, 26 and 28(4) for oil tankers shall also apply to the construction and operation of these spaces, except that where such aggregate capacity is less than 1,000 cubic metres it shall be sufficient to comply with the requirements of regulation 15(4) as if they applied to the ship in lieu of those of regulation 15(1), (2) and (3).

(5) The Secretary of State may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of ships or individual ships on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

### **Equivalent**

3. The Secretary of State may permit any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by these Regulations if such fitting, material, appliance or apparatus is at least as effective as that required by these Regulations, but shall not permit the substitution of operational methods to control the discharge of oil as being equivalent to those design and construction features which are prescribed by these Regulations.