

भारत सरकार / GOVERNMENT OF INDIA
पत्तन, पोत परिवहन और जलमार्ग मंत्रालय
MINISTRY OF PORTS, SHIPPING AND WATERWAYS
नौवहन महानिदेशालय, मुंबई

DIRECTORATE GENERAL OF SHIPPING, MUMBAI



File No: 13-20011/5/2020-ENGG - DGS

Date 12-02-2024

Merchant Shipping Notice 05 of 2024

Sub: Amendments to MARPOL Convention- Reg.

Whereas, the Government of India has notified the Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules, vide G.S.R. 329(E) dated 19 April 2010.

Whereas since the inception of above Rules, many amendments to MARPOL Annex I entered into force and the same implemented on Indian ships based on the definition of MARPOL in Section 356 (B) (e) of the MS Act, 1958 which defines MARPOL Convention as International Convention for the Prevention of Pollution from Ships, 1973, including its Protocol of 1978, as amended from time to time in the manner specified therein.

Whereas, the Merchant Shipping Act, 1958, as amended incorporates the Convention and is defined in Section 356 B 9 (e) as "International Convention for the prevention of pollution from ships, 1973, including its Protocol of 1978 as amended from time to time. Further, the mandatory Codes as indicated in the Convention and its amendments from time to time is in effect and applicable to the vessels.

Whereas, the Merchant Shipping Act, Part XI A, Section 356 A to 356 O to provides legislative provisions and powers for the implementation of various requirements under the MARPOL Convention on all Indian and foreign vessels.

Whereas, the Recognised organizations (RO) were notified vide notification dated 26th December, 2014, and as indicated, an agreement is entered into with each RO to carry out surveys and certification as per the Convention.

Noting that, IMO has issued various amendments to MARPOL time to time which is annexed to this order at "Annexure-I, Annexure -II, Annexure -III. As defined in the Merchant Shipping Act, such amendments to the convention are already in effect and applicable to Indian vessels.

Vide this MS Notice, the Directorate intends to issue guidance with respect to all the amendments which entered into force since the notification of M.S Prevention of Pollution by Oil from Ships in 2010.

The stakeholders are therefore required to be guided by this order and earlier order/circular/notices towards compliance with the provisions to give full effect to the "International Convention for the prevention of pollution from ships, 1973, including its Protocol of 1978"

This is issued with the approval of the Director-General of Shipping and comes into effect from the date of issue of this notice.


(J Senthil Kumar)

Engineer and Ship Surveyor cum Deputy DGS (Tech.)

To,

1. The Principal Officer/ Mercantile Marine Department, Mumbai/Kolkata/ Chennai/ Kandla/Kochi.
2. The Surveyor-in-charge, Mercantile Marine Department, Goa/Jamnagar/Port Blair /Visakhapatnam /Tuticorin /Noida /Haldia/ Paradip /Mangalore.
3. All Recognised Organizations.
4. CS/NA/Dy.CSS
5. Hindi Cell with request to provide Hindi translation.
6. Computer Cell with request to upload on DGS website
7. All Stakeholders through DGS Website

Amendment	Date of entry into force	Comments
The Chapter 8 (Prevention of Pollution during transfer of Oil Cargo between Oil Tankers) issued vide Resolution MEPC.186 (59)	1 April 2012:	<ul style="list-style-type: none"> • Resolution MEPC.186 (59) shall be applied to oil tankers (Indian or Foreign) of 150 gross tonnage and above engaged in the transfer of oil cargo between oil tankers at sea (STS operations) and their STS operations conducted on or after 1 April 2012 within the territorial sea, or the exclusive economic zone of India. • The STS operations Plan required by Regulation 41 shall be for Indian Oil Tankers approved by Recognized Organization on behalf of Indian Maritime Administration. • The person in overall advisory control of STS operations shall be qualified to perform all relevant duties, taking into account the qualifications contained in the best practice guidelines for STS operations identified by the Organization IMO Manual on Oil Pollution, Section 1, Prevention, 2011 edition, OCIMF Ship to Ship Transfer Guide for Petroleum, Chemical and Liquefied Gases, 2013 Edition and other international publications. • Records of STS operations shall be retained on board for three years and be readily available for inspection by a Parties to the MARPOL Convention. • The notification as required by Regulation 42 shall be made to DG Com centre.
Amendments to regulations 1, 12, 13, 17 and 38 of MARPOL Annex I, Supplement to the	1 January 2011	<ul style="list-style-type: none"> • Applied to Ships with respect to following and in addition to Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules and as detailed in stated Resolution:

Amendment	Date of entry into force	Comments
IOPP Certificate and Oil Record Book Parts I and II vide Resolution MEPC.187(59)		<ul style="list-style-type: none"> i. Regulation1 (Definitions) to now include definitions of Oil residue (sludge) Oil residue (sludge) tank, Oily bilge water and Oily bilge holding tank. ii. Regulation 12 - Tanks for oil residues (sludge) detailing new requirements for Oil residue (sludge) and oil residue (sludge) tank(s). iii. Regulations 12, 13, 17 and 38 where word "sludge" is replaced by the words "oil residue (sludge) and words "and other oil residues" are deleted. iv. Amendments to the Supplement to the IOPP Certificate Form A (Ships other than Oil Tankers) and Form B (Oil Tankers) vide Annex 2 to the Resolution. v. Amendments to Oil Record Books Part 1 & II vide Annex 3 to the Resolution.
Resolution MEPC.189 (60} The Regulation 43 on Special requirements for the use or carriage of oils in the Antarctic area adopted via addition of new Chapter 9 to MARPOL Annex I	1 August 2011	<ul style="list-style-type: none"> • Shall apply to all Indian Ships with the exception of vessels engaged in securing the safety of ships or in a search and rescue operation.
Resolution MEPC.235 (65)	1 October 2014.	<ul style="list-style-type: none"> • Amendments to Form A and Form B of Supplements to the IOPP Certificate under MARPOL Annex I


Amendment	Date of entry into force	Comments
Resolution MEPC.248 (66)	1 January 2016	<ul style="list-style-type: none"> • Amendments to MARPOL Annex I on mandatory carriage requirements for a stability instrument) • The waiver from the requirements of Regulation 28(6) as detailed in new Regulation 3.6 shall only be granted after taking into account operational guidance provided in part 2 of the <i>Guidelines for verification of damage stability requirements for tankers</i> (MSC.1/Circ.1461)
Resolution MEPC.256 (67)	1 March 2016	<ul style="list-style-type: none"> • Amendment to regulation 43
Resolution MEPC.266 (68)	1 January 2017	<ul style="list-style-type: none"> • Amendments to Paragraphs 1 to 4 of Regulation 12 Tanks for oil residues (sludge), Part A (Construction) of Chapter 3 (Requirements for machinery spaces of all ships) • Applied to every ship of 400 gross tonnage and above except <ul style="list-style-type: none"> i. Paragraph 3.5 of this regulation need only be applied as far as is reasonable and practicable to ships delivered on or before 31 December 1979, as defined in regulation 1.28.1 and ii. Ships constructed before 1 January 2017 shall be arranged to comply with paragraph 3.3 of this regulation not later than the first renewal survey carried out on or after 1 January 2017.
Resolution MEPC. 265(68)	1 January 2017	<ul style="list-style-type: none"> • A new Chapter added after the existing chapter number 10 vide Resolution MEPC. 265(68), "Chapter 11 – International Code for Ships Operating in Polar Waters"

Amendment	Date of entry into force	Comments
		<ul style="list-style-type: none"> The Amendments to Form A and Form B of Supplements to the IOPP Certificate under MARPOL Annex I) Amendment to regulation 3, 4, 14, 15, 38
Resolution MEPC.276 (70)	1 March 2018.	<ul style="list-style-type: none"> Amendments to MARPOL Annex I (Form B of the Supplement to the International Oil Pollution Prevention Certificate
Resolution MEPC.329 (76)	1 November 2012	<ul style="list-style-type: none"> Amendments to MARPOL Annex I (Prohibition on the use and carriage for use as fuel of heavy fuel oil by ships in Arctic waters)
Resolution MEPC.343 (78)	1 January 2024.	<ul style="list-style-type: none"> Amendments to Regulation 28 – Subdivision and damage stability Chapter 4 (Requirements for the Cargo Area of Oil Tankers)
Resolution MEPC.359(79) 2022 Amendments to Annex I “Regulations for the prevention of pollution by oi	1 May 2024	<ul style="list-style-type: none"> Form B of the Supplement to IOPP Certificate introducing new references in the title of section 5 “Construction”. Regulation 38 “Reception facilities”, including the possibility for States, the coastline of which borders on Arctic waters, to enter into regional arrangements for port reception facilities. The 2012 Guidelines for the development of a regional reception facilities plan has been amended accordingly (Res. MEPC.363(79) adopted on 16 December 2022);

Interpretations of Regulations

1. Unified Interpretation MEPC.1/Circ. 867 be taken into account for Rule 1 (A) (12), 12, 27 & 28 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010.
2. Unified Interpretation MEPC.1/Circ. 872 be taken into account for Rules 1(A)(16) & 36.2.10 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010.

Oily Water Separators and 15 PPM Alarm fitted on Oily Water Separators

3. Rule 14 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010 require Oily Water Separators and the alarm fitted on Oily water separators (as required by this Rule) to be of a design approved by the Central Government taking into account the specifications recommended by the organizations.
 4. To meet this requirements, the Indian ships are and have been fitted with Type Approved 15 PPM Oily Water Separators and alarms in accordance with following IMO Guidelines:
 - i. All such equipment installed on ships after 1 January, 2005 will have to meet the Resolution MEPC 107(49) on "Revised Guidelines and Specifications for Pollution Prevention Equipment for Machinery Space Bilges of Ships"
 - ii. Equipment installed on board on or after 14 November, 1978 and until 30 April 1994 shall have to continue to meet the IMO Resolution A.393(X) {Recommendations and international performance and test specifications for Oily Water Separating Equipment and Oil Content Meters} and as applicable; or
 - iii. If installed on board on or after 30 April, 1994 but before 1 January, 2005, it will have to continue to meet the guidelines and specifications found in MEPC Resolution 60(33) {Guidelines and Specifications for Pollution Prevention Equipment for Machinery Space Bilges} or the Resolution MEPC 205(62) {2011 Guidelines and specifications for add on equipment for upgrading MEPC Resolution 60(33)-compliant oil filtering equipment}.
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- iv. The equipment to be Type Approved by Recognized Organizations or accepted on transfer of Flag to India in accordance with DGS Order 6 of 2013 and the Formal RO Agreement.
- v. Any 15ppm oil water separators and bilge alarm, which previously met the standards found in either MEPC Resolution 60(33) or IMO Resolution A.393(X) and which is found defective and is being replaced, after 1- Jan-2005 will have to be replaced by equipment meeting the new standards found in MEPC Resolution 107(49), as amended.
- vi. The validity of calibration certificates of the 15ppm bilge alarm should be checked at IOPP annual/intermediate/renewal surveys. The accuracy of 15ppm bilge alarms is to be checked by calibration and testing of the equipment conducted by a manufacturer or persons authorized by the manufacturer {In case manufacturer is not available, RO may accept third party calibration based on verification of procedures and other control methodology} and should be done at intervals not exceeding five years after its commissioning, or within the term specified in the manufacturer's instructions, whichever is shorter. Alternatively, the unit may be replaced by a calibrated 15 ppm bilge alarm. The calibration certificate for the 15ppm bilge alarm, certifying the date of the last calibration check, should be retained on board for inspection purposes.

Oil discharge monitoring and control system

- 5. Rule 31 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010 require Oil tankers of 150 GT & above shall be equipped with an Oily discharge and monitoring device to be of a design approved by the Central Government taking into account the specifications recommended by the organizations. It also requires approved instruction manuals on the operation and maintenance of the various components comprising the oil discharge monitoring and control system shall be provided which shall contain information on manual as well as automatic operation and shall be so drawn up as to ensure that at no time will oil be discharged except in compliance with the conditions specified in rule 34.
- 6. To meet this requirements, the Indian ships are and have been fitted with Type Approved ODMCS in accordance with following IMO Guidelines:
 - i. All such equipment installed on oil tankers the keels of which were laid, or at a similar stage of construction, on or after 1 January, 2005 shall



- meet Resolution MEPC 108(49) {Revised Guidelines & Specifications for Oil Discharge, Monitoring and Control Systems for Oil Tankers}.
- ii. Equipment installed in other oil tankers the keels of which are laid, or in a similar stage of construction, before 1 January, 2005, should comply with either the requirements contained in the guidelines and specification adopted under Resolutions A.393(X), A.496(XII), MEPC.13(19) and A.586(14) as applicable.
 - iii. The equipment to be Type Approved by Recognized Organizations or accepted on transfer of Flag to India in accordance with DGS Order 6 of 2013 and the Formal RO Agreement.
 - iv. Each oil tanker of 150 GT and above shall have on board an ODMCS Operational Manual approved either directly by this Administration or by a Recognized Organization on behalf of this Administration.
 - v. MEPC Resolution 240(65), adopted on 17 May, 2013, further revised the guidelines and specifications for oil discharge monitoring and control systems for oil tankers (MEPC Resolution 108(49)) constructed on or after 1 January, 2005, carrying bio-fuels. On all oil tankers engaged in carriage of bio-fuel blends containing 75% or more of petroleum oil on or after 1 January, 2016, the Oil Content Meter shall have a type approval certificate as modified by MEPC Resolution 240(65). MSC-MEPC.2/Circ.17, provides guidelines for carriage of blends of petroleum oil and biofuels.

Oil Water Interface Detectors

7. Rule 32 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010 require oil tankers of one hundred and fifty gross tonnage and above shall be provided with effective oil/water interface detectors of a design, approved by the Central Government, in accordance with the provisions of the Convention, for the rapid and accurate determination of the oil/water interface in slop tanks and in other tanks where the separation of oil and water is effected and from which it is intended to discharge the effluent directly into the sea.
8. To meet this requirements, the Indian ships are and have been fitted with Type Approved Oil Water Interface detectors in accordance with following IMO Guidelines:
 - i. Resolution MEPC.5 (XIII) {Specifications for Oil/Water Interface Detectors}.



- ii. The equipment to be Type Approved by Recognized Organizations or accepted on transfer of Flag to India in accordance with DGS Order 6 of 2013 and the Formal RO Agreement.

Shipboard Oil Pollution Emergency Plan

9. Rule 32 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010 require that every oil tanker of one hundred and fifty gross tonnage and above and every ship other than an oil tanker of four hundred gross tonnage and above shall carry on board a shipboard oil pollution emergency plan approved by the Central Government. Further these plans are to be developed taking into account guidelines for the development of shipboard oil pollution emergency plans adopted by the Organization.

10. To meet the above requirements:

- i. The plan must satisfy must meet the guidelines in Resolution MEPC.54(32), as amended by Resolution MEPC.86 (44) or Resolution MEPC.85 (44) as amended by Resolution MEPC.137 (53).
- ii. Resolution A.851 (20) as amended by Resolution MEPC.138 (53), General Principles for Ship Reporting Systems and Ship Reporting Requirements, including Guidelines for Reporting Incidents Involving Dangerous Goods, Harmful Substances and/or Marine Pollutants must be incorporated into the Plan or referenced and made available on board.
- iii. The plan to be approved by Recognized Organizations or Indian Maritime Administration or accepted on transfer of Flag to India after required modifications in accordance with DGS Order 6 of 2013 and the Formal RO Agreement.

Crude Oil Washing Systems

11. Rule 33 of Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules 2010 require that:

- i. Every crude oil tanker of twenty thousand tonnes deadweight and above delivered after 1st June, 1982, as defined in sub-rule (34) of rule 1A, shall be fitted with a cargo tank cleaning system using crude oil washing.
- ii. The crude oil washing installation and associated equipment and arrangements (including qualification of personnel) shall comply with the requirements specified by the Central Government on the basis of the specifications for Design, Operation and Control of Crude Oil Washing



Systems adopted by the Organisation and the safety aspects mentioned in these specifications.

12. To meet the above requirements:

- i. Crude Oil Washing Systems must meet the requirements detailed in MS Notice 15 of 2023 {Guidance on "To the Satisfaction of Administration" in IMO Conventions}.
- ii. The equipment to be Type Approved by Recognized Organizations or accepted on transfer of Flag to India in accordance with DGS Order 6 of 2013 and the Formal RO Agreement
- iii. The Recognized Organization shall ensure that the system fully complies with the requirements of Rule 33 within one year after the tanker was first engaged in the trade of carrying crude oil or by the end of the third voyage carrying crude oil suitable for crude oil washing, whichever occurs later.
- iv. On transfer of Flag to India, the Certificate/Statement of compliance to Regulation 33 of MARPOL Annex I issued by a Recognized Organization on behalf of a Maritime Administration may be accepted.



Amendment	Date of entry into force	Comments
<p>2022</p> <p>Amendments to Annex II</p> <p>“Regulations for the control of pollution of noxious liquid substances in bulk”</p> <p>The amendments adopted by Resolution MEPC.359(79) on 16 December 2022</p>	<p>1 May 2024</p>	<ul style="list-style-type: none"> Regulation 18 “Reception facilities and cargo unloading terminal arrangements”, including the possibility for States, the coastline of which borders on Arctic waters, to enter into regional arrangements for port reception facilities. The 2012 Guidelines for the development of a regional reception facilities plan has been amended accordingly (Res. MEPC.363(79) adopted on 16 December 2022)
<p>2022</p> <p>Amendments to Annex II</p> <p>“Regulations for the control of pollution of noxious liquid substances in bulk</p> <p>Resolution MEPC.344(78) on 10 June 2022, modify Appendix I “Guidelines for the categorization of noxious liquid substances” due to the publication of</p>	<p>1 November 2023</p>	<ul style="list-style-type: none"> Refinement of column C3, adding a sub-categorization (inhalation toxicity) to provide a more realistic hazard profile for the purposes of risk management; and – modifications to column E1 on flammability hazard ratings.

Amendment	Date of entry into force	Comments
the revised GESAMP Reports and Studies No. 64,		
2016 (Annex II) amendments (MEPC.270(69)) (Revised GESAMP Hazard Evaluation Procedure)	1 September 2017	<ul style="list-style-type: none"> Consequential amendments to appendix I to MARPOL Annex II (Guidelines for the categorization of noxious liquid substances) related to the revised GESAMP Hazard Evaluation Procedure for Chemical Substances Carried by Ships.
2015 (Annexes I, II, IV and V) amendments (MEPC.265(68)) (Amendments to MARPOL Annexes I, II, IV and V to make the use of the environment-related provisions of the Polar Code mandatory)	1 January 2017	<ul style="list-style-type: none"> Amendments to make the environment-related provisions of the polar code mandatory.
2014 (Annex III) amendments (MEPC.257(67)) (Amendment to the appendix on criteria for the identification of harmful substances in packaged form)	1 March 2016	<ul style="list-style-type: none"> Amendment to the appendix to Annex III to exclude radioactive materials from the scope of the criteria for the identification of harmful substances in package form.

Amendment	Date of entry into force	Comments
2014 (Annexes I, II, III, IV and V) amendments (MEPC.246(66)) (Amendments to MARPOL Annexes I, II, III, IV and V to make the use of the III Code mandatory)	1 January 2016	<ul style="list-style-type: none"> Amendments to Annexes I, II, III, IV and V to make use of the IMO Instruments Implementation Code (III Code) mandatory.
2013 (Annexes I and II) amendments – (MEPC.238(65)) (Amendments to MARPOL Annexes I and II to make the RO code mandatory)	1 January 2015	<ul style="list-style-type: none"> Amendments to make the Code for Recognized Organizations (RO Code) mandatory.
2012 (Annex II) amendments – (MEPC.225(64)) (Amendments to chapters 17, 18 and 19 of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code))	1 June 2014	<ul style="list-style-type: none"> Amendments to replace Chapter 17 (Summary of minimum requirements); Chapter 18 (List of products to which the Code does not apply); and Chapter 19 (Index of Products Carried in Bulk) of the IBC Code.

Amendment	Date of entry into force	Comments
2010 (Annex III) amendments – (MEPC.193(61)) (revised Annex III)	1 January 2014	<ul style="list-style-type: none"> Revisions to various regulations to make reference to relevant provisions in the IMDG Code and expansion of the criteria for the identification of harmful substances in package form in the appendix to Annex III.

Note: The details of MEPC resolutions can be accessed from below mentioned link.

<https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/MEPC.aspx>

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