

PREVENTION OF POLLUTION OF THE SEA ACT
(CHAPTER 243, SECTION 34)
PREVENTION OF POLLUTION OF THE SEA (GARBAGE) REGULATIONS

Rg 7

G.N. No. S 363/1999

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Citation

1. These Regulations may be cited as the Prevention of Pollution of the Sea (Garbage) Regulations.

Definitions

2.

—(1) In these Regulations, unless the context otherwise requires —
“from the nearest land” means —

(a)

in relation to all land other than the part of Australia referred to in paragraph (b), from the baseline from which the territorial sea of the territory in question is established in accordance with international law; or

(b)

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 of the straight lines joining consecutively the following points:
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; 10° 41'S, 145° 00'E; 13° 00'S, 145° 00'E; 15° 00'S, 146° 00'E; 17° 30'S, 147° 00'E; 21° 00'S, 152° 55'E; 24° 30'S, 154° 00'E and 24° 42'S, 153° 15'E;

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“installation” means any drilling or production platform or any other platform used in connection with the exploration, exploitation or associated offshore processing of seabed mineral resources;

“Organisation” means the International Maritime Organisation;

“required standard”, in relation to ground or comminuted garbage, means ground or comminuted sufficiently finely to be capable of passing through a screen with openings no greater than 25 millimetres.

(2) For the purposes of these Regulations, “Special Area” means the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area, the Gulfs area, the North Sea area, the Antarctic area or the Wider Caribbean Region, which are respectively defined as follows:

(a)

“the Mediterranean Sea area” means the Mediterranean Sea proper including the gulfs and sea therein with the boundary between the Mediterranean and the Black Sea

constituted by the 41° N parallel and bounded to the west by the Straits of Gibraltar at the meridian 5° 36'W;

(b)

“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;

(c)

“the Black Sea area” means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41° N;

(d)

“the Red Sea area” means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12° 28.5'N, 43° 19.6'E) and Husn Murad (12° 40.4'N, 43° 30.2'E);

(e)

“the Gulfs area” means the sea area located north-west of the rhumb line between Ras al Hadd (22° 30'N, 59° 48'E) and Ras al Fasteh (25° 04'N, 61° 25'E);

(f)

“the North Sea area” means the North Sea proper including seas therein with the boundary between —

(i)

the North Sea southwards of latitude 62°N and eastwards of longitude 4°W;

(ii)

the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57° 44.8'N; and

(iii)

the English Channel and its approaches eastwards of longitude 5°W and northwards of latitude 48° 30'N;

(g)

“the Antarctic area” means the sea area south of latitude 60°S;

(h)

“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 south-westerly to the eastern boundary of French Guiana.

Application

3. These Regulations shall apply to —

(a)

Singapore ships wherever they may be; and

(b)

other ships while they are in Singapore waters.

Disposal of garbage outside Special Areas

4.

—(1) The disposal of any plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ash from plastic products which may contain toxic or heavy metal residues, from a ship outside any Special Area is prohibited.

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(2) Subject to regulation 6, the disposal of any garbage other than plastics from a ship into the sea outside any Special Area is prohibited except where it is made as far from the nearest land as is practicable, and —

(a)

in the case of dunnage, lining and packing materials which will float, not less than 25 nautical miles from the nearest land; or

(b)

in the case of food wastes and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse, not less than 12 nautical miles from the nearest land or, if such wastes and other garbage have been ground or comminuted to the required standard, not less than 3 nautical miles from the nearest land.

(3) Where the garbage is mixed with other discharges having different disposal or discharge requirements under Annex I, II or III to the Convention, the more stringent requirements shall apply.

Disposal of garbage within Special Areas

5.

—(1) Subject to paragraphs (2) and (3), the disposal of any garbage from a ship into the sea within any Special Area is prohibited.

(2) Food wastes may be disposed from a ship into the sea within any Special Area other than the Antarctic area and the Wider Carribean Region if, and only if, the disposal is made as far as practicable, and in any case not less than 12 nautical miles, from the nearest land.

(3) Food wastes may be disposed from a ship into the sea within the Wider Carribean Region if, and only if —

(a)

the food wastes have been ground or comminuted to the required standard; and

(b)

the disposal is made as far as practicable, and in any case not less than 3 nautical miles, from the nearest land.

(4) Where the garbage is mixed with other discharges having different disposal or discharge requirements under Annex I, II or III to the Convention, the more stringent requirements shall apply.

(5) This regulation is subject to regulation 6.

(6) The disposal of any plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ash from plastic products which may contain toxic or heavy metal residues, from a ship within any Special Area is prohibited.

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Disposal of garbage from fixed or floating installation

6.

—(1) Subject to paragraph (2), the disposal of any garbage into the sea from a fixed or floating installation, or from any other ship alongside or within 500 metres of such an installation, is prohibited.

(2) Food wastes may be disposed of into the sea from a fixed or floating installation or ship if, and only if —

(a) the food wastes have been ground or comminuted to the required standard; and

(b) the installation in question is located more than 12 nautical miles from the nearest land.

Restriction on Singapore ships entering Antarctic area

7. A Singapore 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.

Placards

8.

—(1) Every ship of 12 metres or more in overall length shall display placards which notify the crew and passengers, if any, of the disposal requirements under regulations 4, 5 and 6, as applicable.

(2) In the case of a Singapore ship, the information on the placards shall be written in English and, where the working language of the crew is not English, in the working language.

(3) In the case of a ship which is not a Singapore ship, the placards shall be written in the working language of the ship's personnel and, where the ship is engaged on a voyage to a port or offshore terminal under the jurisdiction of a Party to the Convention, also in English, French or Spanish.

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Garbage management plan

9.

—(1) Every ship —

(a) of 400 tons gross tonnage or above; or

(b) which is certified to carry 15 persons or more,

shall carry a garbage management plan which shall —

(i)
provide written procedures for collecting, storing, processing and disposing of garbage, including the use of equipment on board;

(ii)
designate the person in charge of carrying out the plan;

(iii)
be in accordance with the guidelines for the development of garbage management plans adopted by the Marine Environment Protection Committee of the Organisation by resolution MEPC.70 (38), as amended or revised from time to time; and

(iv)
be in the following languages:

(A)
in the case of a Singapore ship, English and the working language of the crew if it is not English; or

(B)
in the case of a ship which is not a Singapore ship, the working language of the crew.

(2) The crew of a ship which is required to carry a garbage management plan under this regulation shall follow that plan.

Garbage record book

10.

—(1) Subject to paragraph (9), each of the following ships, namely —

(a)
a ship of 400 tons gross tonnage or above;

(b)
a ship certified to carry 15 persons or more which is engaged on a voyage to a port or offshore terminal under the jurisdiction of a Party to the Convention other than its flag State;

(c)
a fixed or floating installation,
shall carry a garbage record book, whether as a part of its official log book or otherwise, in the form specified in the First Schedule.

(2) On the date of any discharge or incineration of garbage from such a ship, the officer in charge of the discharge operation or incineration shall make and sign for an entry in the garbage record book of the ship in respect of the discharge or incineration.

(3) An entry in the garbage record book shall include —

(a)
the date and time of the discharge or incineration;

(b)
the position of the ship at the time of the discharge or incineration; and

(c)
a description of, and the estimated amount of, the garbage discharged or incinerated.

(4) If a discharge, escape or accidental loss within the meaning of regulation 11(2) occurs, an entry shall be made in the relevant garbage record book of the circumstances of and the reasons for the discharge, escape or accidental loss.

(5) An entry in a garbage record book shall —

(a)

in the case of a Singapore ship, be in English; or

(b)

in the case of a ship which is not a Singapore ship, be at least in English, French or Spanish.

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(6) For the purposes of paragraph (5)(b), the official language of the State whose flag the ship is entitled to fly shall prevail in the event of a discrepancy between the different language entries.

(7) Each completed page of a garbage record book shall be signed by the master of the ship concerned.

(8) A garbage record book shall —

(a)

be kept on board the ship concerned and in such a place as to be available for inspection at a reasonable time; and

(b)

be preserved for a period of 2 years after the final entry is made on it.

(9) The Director may waive the requirement for a garbage record book in respect of —

(a)

any ship certified to carry 15 persons or more which is engaged on a voyage of one hour or less in duration; or

(b)

any fixed or floating installation.

Offences

11.

—(1) A contravention of any of the provisions of these Regulations shall be an offence on the part of the owner, manager, agent, charterer and master of the ship at the time of the offence, each of whom shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) In any proceedings under this regulation in respect of a contravention of regulation 4, 5 or 6, it shall be a defence for the person charged to prove —

(a)

that the disposal of garbage was necessary for the purpose of securing the safety of the ship or those on board, or of saving life at sea;

(b)

that the escape of garbage resulted from damage to a ship or its equipment and that all reasonable precautions were taken before and after the damage occurred to prevent or minimise the escape; or

(c)

in the case of the disposal of synthetic fishing nets, that the disposal was an accidental loss and that all reasonable precautions were taken to prevent the loss.

Fees

12. The fees specified in the Second Schedule shall be payable to the Director.

FIRST SCHEDULE

Regulation 10

FORM OF

GARBAGE RECORD BOOK

Name of ship: -----

Distinctive number or letters: -----

IMO No: -----

Period: From: -----To: -----

1 INTRODUCTION

In accordance with regulation 9 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78), a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

2 GARBAGE AND GARBAGE MANAGEMENT

Garbage includes all kinds of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78¹ should also be referred to for relevant information.

¹ Refer to the Guidelines for the Implementation of Annex V of MARPOL 73/78 as amended, revised or replaced from time to time; See IMO sales publication IMO-656E.

3 DESCRIPTION OF THE GARBAGE

The garbage is to be grouped into categories for the purposes of this record book as follows:

- Plastics 1.
- Floating dunnage, lining, or packing material 2.
- Ground-down paper products, rags, glass, metal, bottles, crockery, etc. 3.
- Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc. 4.
- Food waste 5.
- Incinerator ash. 6.

4 Entries in the Garbage Record Book

4.1. Entries in the Garbage Record Book shall be made on each of the following occasions:

- (a)
 - When garbage is discharged into the sea:
 - (i) Date and time of discharge
 - (ii) Position of the ship (latitude and longitude), and start and stop positions for discharges of cargo residues
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharged for each category in cubic metres
 - (v) Signature of the officer in charge of the operation.
 - (b) When garbage is discharged to reception facilities ashore or to other ships:
 - (i) Date and time of discharge
 - (ii) Position or facility, or name of ship
 - (iii) Category of garbage discharged
 - (iv) Estimated amount discharged for each category in cubic metres
 - (v) Signature of the officer in charge of the operation.
 - (c) When garbage is incinerated:
 - (i) Date and time of start and stop of incineration
 - (ii) Position of the ship (latitude and longitude)
 - (iii) Estimated amount incinerated in cubic metres
 - (iv) Signature of the officer in charge of the operation.
 - (d) Accidental or other exceptional discharges of garbage:
 - (i) Time of occurrence
 - (ii) Port or position of the ship at time of occurrence
 - (iii) Estimated amount and category of garbage
 - (iv)

Circumstances of disposal, escape or loss, the reason therefor and general remarks.

4.2 Receipts

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for 2 years.

4.3 Amount of garbage

The amount of garbage on board should be estimated in cubic metres, if possible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognised that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, for example, the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

RECORD OF GARBAGE DISCHARGES

Ship's name: Distinctive No.or Letters: IMO No:.....
.....

Garbage categories:

- Plastics (1)
- Floating dunnage, lining, or packing material (2)
- Ground-down paper products, rags, glass, metal, bottles, crockery, etc. (3)
- Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc. (4)
- Food waste (5)
- Incinerator ash (excluding incinerator ash from plastic products which may contain toxic or heavy metal residues) (6)

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NOTE: THE DISCHARGE OF ANY GARBAGE OTHER THAN FOOD WASTE IS PROHIBITED IN SPECIAL AREAS, ONLY GARBAGE DISCHARGED INTO THE SEA MUST BE CATEGORISED GARBAGE OTHER THAN CATEGORY 1 DISCHARGED TO RECEPTION FACILITIES NEED ONLY BE LISTED AS A TOTAL ESTIMATED AMOUNT DISCHARGES OF CARGO RESIDUES REQUIRE START AND STOP POSITIONS TO BE RECORDED.

Date/time	Position of the ship	Estimated amount discharged into sea (m ³)					Estimated amount discharged into sea (m ³) reception facilities on board other ships
		CAT. 2	CAT. 3	CAT. 4	CAT. 5	CAT. 6	

Master's signature: _____ Date: _____

SECOND SCHEDULE

Regulation 12

FEE

Review and approval of garbage management plan, garbage record book and other documents	
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\$60 per hour or part thereof.

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LEGISLATIVE HISTORY

PREVENTION OF POLLUTION OF THE SEA (GARBAGE) REGULATIONS (CHAPTER 243, RG 7)

This Legislative History is provided for the convenience of users of the Prevention of Pollution of the Sea (Garbage) Regulations. It is not part of these Regulations.

1. G. N. No. S 363/1999—Prevention of Pollution of the Sea (Garbage) Regulations 1999

Date of commencement : 27 August 1999

2. 2001 Revised Edition—Prevention of Pollution of the Sea (Garbage) Regulations

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3. G. N. No. S 95/2002—Prevention of Pollution of the Sea (Garbage) (Amendment) Regulations 2002

Date of commencement : 1 March 2002

4. G. N. No. S 257/2005—Prevention of Pollution of the Sea (Garbage) (Amendment) Regulations 2005

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