



STATUTORY INSTRUMENTS.

S.I. No. 372 of 2012



SEA POLLUTION (PREVENTION OF POLLUTION BY GARBAGE
FROM SHIPS) REGULATIONS 2012

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SEA POLLUTION (PREVENTION OF POLLUTION BY GARBAGE
FROM SHIPS) REGULATIONS 2012

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 10, 11, 12, 14, 15 and 17 of the Sea Pollution Act 1991 (No. 27 of 1991) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) and for the purpose of giving effect to Annex V to the MARPOL Convention, hereby make the following regulations:

Citation and commencement.

1. (1) These Regulations may be cited as the Sea Pollution (Prevention of Pollution by Garbage from Ships) Regulations 2012.

(2) These Regulations shall come into operation on 1 January 2013.

Interpretation.

2. (1) In these Regulations—

“Act” means the Sea Pollution Act 1991 (No. 27 of 1991);

“animal carcasses” means the bodies of any animals that are carried on board as cargo and that die or are euthanized during the voyage;

“Annex V” means revised Annex V to the MARPOL Convention as set out in Resolution MEPC.201(62) of the Marine Environment Protection Committee of the International Maritime Organization;

“cargo residues” means the remnants of any cargo which are not covered by other Annexes to the present Convention and which remain on the deck or in holds following loading or unloading, including loading and unloading excess or spillage, whether in wet or dry condition or entrained in wash water but does not include cargo dust remaining on the deck after sweeping or dust on the external surfaces of the ship;

“cooking oil” means any type of edible oil or animal fat used or intended to be used for the preparation or cooking of food, but does not include the food itself that is prepared using these oils;

“domestic wastes” means all types of wastes not covered by other Annexes that are generated in the accommodation spaces on board the ship and does not include grey water;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 5th October, 2012.*

“en route” means that the ship is underway at sea on a course or courses, including deviation from the shortest direct route, which as far as practicable for navigational purposes, will cause any discharge to be spread over as great an area of the sea as is reasonable and practicable;

“fishing gear” means any physical device or part thereof or combination of items that may be placed on or in the water or on the sea-bed with the intended purpose of capturing, or controlling for subsequent capture or harvesting, marine or fresh water organisms;

“fixed or floating platforms” means fixed or floating structures located at sea which are engaged in the exploration, exploitation or associated offshore processing of sea-bed mineral resources;

“food wastes” means any spoiled or unspoiled food substances and includes fruits, vegetables, dairy products, poultry, meat products and food scraps generated aboard ship;

“garbage” includes all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, cooking oil, fishing gear, and animal carcasses 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 the present Convention and does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities which involve the transport of fish including shellfish for placement in the aquaculture facility and the transport of harvested fish including shellfish from such facilities to shore for processing;

“incinerator ashes” means ash and clinkers resulting from shipboard incinerators used for the incineration of garbage;

“MARPOL Convention” means the International Convention for the Prevention of Pollution from Ships 1973, as amended by the Protocol of 1978 thereto;

“Minister” means the Minister for the Transport, Tourism and Sport;

“nearest land”, in the context of “from the nearest land”, means from the baseline from which the territorial sea of the territory in question is established in accordance with the Convention on the Territorial Sea and the Contiguous Zone, 1958 except that, for the purposes of the MARPOL Convention “from the nearest land off the north-eastern coast of Australia” shall mean from a line drawn from a point on the coast of Australia in—

latitude 11°00' S, longitude 142°08' E

to a point in latitude 10°35' S, longitude 141°55' E,

thence to a point latitude 10°00' S, longitude 142°00' E,

thence to a point latitude 09°10' S, longitude 143°52' E,

thence to a point latitude 09°00' S, longitude 144°30' E,

thence to a point latitude 10°41' S, longitude 145°00' E,

thence to a point latitude 13°00' S, longitude 145°00' E,

thence to a point latitude 15°00' S, longitude 146°00' E,

thence to a point latitude 17°30' S, longitude 147°00' E,

thence to a point latitude 21°00' S, longitude 152°55' E,

thence to a point latitude 24°30' S, longitude 154°00' E,

thence to a point on the coast of Australia in latitude 24°42' S, longitude 153°15' E;

“operational wastes” means all solid wastes (including slurries) not covered by other Annexes that are collected on board during normal maintenance or operations of a ship, or used for cargo stowage and handling, and also includes cleaning agents and additives contained in cargo hold and external wash water, but does not include grey water, bilge water, or other similar discharges essential to the operation of a ship, taking into account the guidelines developed by the Organization;

“Organization” means the International Maritime Organization;

“Party” means a state (other than the State) that has ratified the MARPOL Convention;

“plastic” means a solid material which contains as an essential ingredient one or more high molecular mass polymers and which is formed (shaped) during either manufacture of the polymer or the fabrication into a finished product by heat and/or pressure. Plastics have material properties ranging from hard and brittle to soft and elastic;

“all plastics” means all garbage that consists of or includes plastic in any form, including synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products;

“ship” means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, aircushion vehicles, submersibles, floating craft and fixed or floating platforms and includes fixtures, fittings and equipment;

“special area” means a sea area where for recognized technical reasons in relation to its oceanographic and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by garbage is required and which, for the purposes of these Regulations, are defined as follows:

- (a) The Mediterranean Sea area means the Mediterranean Sea proper including the gulfs and seas 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, as defined in article 2, paragraph 1 of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena de Indias, 1983), 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.

(2) Where guidelines developed by the Organization and referred to in these Regulations are amended after these Regulations come into operation, the reference shall be taken to be a reference to the guidelines as amended.

(3) If a word or expression that is not defined in these Regulations is used in these Regulations and is also used in Annex V, the word or expression has, unless the context otherwise requires, the same meaning in these Regulations as in that Annex.

Application.

3. These Regulations shall apply to all ships to which the Act applies.

General prohibition on discharge of garbage into the sea.

4. (1) The discharge of all garbage into the sea is prohibited, except as provided otherwise than in section 11 of the Act and Regulations 5, 6, and 7.

(2) Except as provided in section 11 of the Act, discharge into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products is prohibited.

(3) Except as provided in section 11 of the Act, the discharge into the sea of cooking oil is prohibited.

Discharge of garbage outside special areas.

5. (1) Subject to section 11 of the Act and Regulations 6 and 7, for animal carcasses, discharge shall occur as far from the nearest land as possible, taking into account the guidelines developed by the Organization, and discharge of the following garbage into the sea outside special areas shall only be permitted while the ship is en route and as far as practicable from the nearest land, but in any case not less than—

- (a) 3 nautical miles from the nearest land for food wastes which have been passed through a comminuter or grinder. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 mm,
- (b) 12 nautical miles from the nearest land for food wastes that have not been treated in accordance with subparagraph (a), and
- (c) 12 nautical miles from the nearest land for cargo residues that cannot be recovered using commonly available methods for unloading. These cargo residues shall not contain any substances classified as harmful to the marine environment, taking into account guidelines developed by the Organization.

(2) Cleaning agents or additives contained in cargo hold, deck and external surfaces wash water may be discharged into the sea, but these substances must not be harmful to the marine environment, taking into account guidelines developed by the Organization.

(3) When garbage is mixed with or contaminated by other substances prohibited from discharge or having different discharge requirements, the more stringent requirements shall apply.

(4) The en route requirements of paragraphs (1)(a) and (1)(b) shall not apply to the discharge of food wastes where it is clear the retention on board of these food wastes presents an imminent health risk to the people on board.

Special requirements for discharge of garbage from fixed or floating platforms.

6. (1) Subject to section 11 of the Act and paragraph (2), the discharge into the sea of any garbage is prohibited from fixed or floating platforms and from all other ships when alongside or within 500 m of such platforms.

(2) Food wastes may be discharged into the sea from fixed or floating platforms located more than 12 nautical miles from the nearest land and from all other ships when alongside or within 500 m of such platforms, but only when the wastes have been passed through a comminuter or grinder. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 mm.

Discharge of garbage within special areas

7. (1) Subject to section 11 of the Act, discharge of the following garbage into the sea within special areas shall only be permitted while the ship is en route and as follows:

- (a) Discharge into the sea of food wastes as far as practicable from the nearest land, but not less than 12 nautical miles from the nearest land or the nearest ice shelf. Food wastes shall be comminuted or ground and shall be capable of passing through a screen with openings no greater than 25 mm. Food wastes shall not be contaminated by any other garbage type. Discharge of introduced avian products, including poultry and poultry parts, is not permitted in the Antarctic area unless it has been treated to be made sterile.
- (b) Discharge of cargo residues that cannot be recovered using commonly available methods for unloading, where all the following conditions are satisfied:
 - (i) Cargo residues, cleaning agents or additives, contained in hold washing water do not include any substances classified as harmful to the marine environment, taking into account guidelines developed by the Organization;
 - (ii) Both the port of departure and the next port of destination are within the special area and the ship will not transit outside the special area between those ports;
 - (iii) No adequate reception facilities are available at those ports taking into account guidelines developed by the Organization; and
 - (iv) Where the conditions of subparagraphs (b)(i), (b)(ii) and (b)(iii) of this paragraph have been fulfilled, discharge of cargo hold washing water containing residues shall be made as far as practicable from the nearest land or the nearest ice shelf and not less

than 12 nautical miles from the nearest land or the nearest ice shelf.

(2) Cleaning agents or additives contained in deck and external surfaces wash water may be discharged into the sea, but only if these substances are not harmful to the marine environment, taking into account guidelines developed by the Organization.

(3) The following rules, in addition to the rules in paragraph (1), apply with respect to the Antarctic area:

(a) Where, at a port in the State, ships depart en route to or arrive from the Antarctic area, the Minister shall ensure that, as soon as practicable, adequate facilities are provided for the reception of all garbage from all ships, without causing undue delay, and according to the needs of the ships using them.

(b) The Minister shall ensure that all ships entitled to fly the Irish flag, before entering the Antarctic area, have sufficient capacity on board for the retention of all garbage while operating in the area, and have concluded arrangements to discharge such garbage at a reception facility after leaving the area.

(4) When garbage is mixed with or contaminated by other substances prohibited from discharge or having different discharge requirements, the more stringent requirements shall apply.

(5) The en route requirements of paragraph (1)(a) shall not apply to the discharge of food wastes where it is clear the retention on board of these food wastes presents an imminent health risk to the people on board.

Reception facilities

8. (1) Harbour authorities and persons having control of a harbour shall provide adequate facilities at ports and terminals for the reception of garbage without causing undue delay to ships, and according to the needs of the ships using them.

(2) The Minister shall cause a notification to be sent to the Organization for transmission to the Parties concerned of all cases where the facilities provided under this Regulation are alleged to be inadequate.

(3) The form for reporting alleged inadequacy shall be drawn up in the form set out in Schedule 1¹.

(4) With regard to reception facilities within special areas—

(a) the Minister, in the event that any of the coastline borders a special area, shall—

¹At the 56th session in July 2007, the MEPC approved a revised consolidated format for reporting alleged inadequacy of port reception facilities: (see MEPC.1/Circ. 469/Rev.1)

- (i) ensure that as soon as possible, in all ports and terminals within the special area, adequate reception facilities are provided, taking into account the needs of ships operating in these areas, and
 - (ii) cause a notification to be sent to the Organization of the measures taken pursuant to subparagraph (i). Until the date so established, ships that are navigating in a special area shall comply with Regulation 5 as regards discharges outside special areas.
- (b) After the date so established, ships calling also at ports in these special areas where such facilities are not yet available, shall fully comply with this Regulation.

Port State control on operational requirements².

9. (1) A ship that is registered in another state that is a Party to the MARPOL Convention may, when it is in a port or an offshore terminal within the jurisdiction of the State, be inspected by an officer of the Minister duly authorised by him in that behalf if the officer has clear grounds for believing that the master or crew are not familiar with shipboard procedures under these Regulations relating to the prevention of pollution by garbage

(2) If, consequent on an inspection of a ship by an officer pursuant to his powers under paragraph (1), the officer confirms that the master or crew are not familiar with the procedures referred to in that paragraph, the Minister shall take such steps (which he or she is hereby empowered to take) as will ensure that the ship shall not sail from the port or offshore terminal until such time as the master or crew or, as the case may be, both the master and crew have become familiar with those procedures.

(3) So much of the procedures specified in Article 5 of the MARPOL Convention as are appropriate shall apply, with any necessary modifications, for the purposes of this Regulation.

(4) Nothing in this Regulation shall operate to derogate from the powers and duties of the Minister or any other person under the Act or any regulations made thereunder.

Placards, garbage management plans³ and garbage record-keeping.

10. (1) (a) Every ship of 12 metres or more in length overall and every fixed or floating platform shall display placards which notify the crew and passengers of the requirements of Regulation 4, 5, 6 and 7, as applicable.

(b) The placards shall be written in the working language of the ship's crew and, in the case of a ship engaged in voyages to ports or offshore

²Refer to the Procedures for port State control adopted by the Organization by resolution A.787(19) and amended by A.882(21); see IMO sales publication IA650E.

³Refer to the Guidelines for the development of garbage management plans adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.71(38); see MEPC/Circ.317 and IMO sales publication IA656E.

terminals under the jurisdiction of another Party shall also be in English, French or Spanish.

(2) Every ship of 100 tons gross tonnage and above and every ship which is certified under any enactment to be a ship that fulfils the conditions specified by that or any other enactment as being the conditions to be fulfilled for the carriage by that ship of 15 or more persons, and every fixed or floating platform shall carry a plan (in these Regulations referred to as a Garbage Management Plan) which the crew shall comply with. This plan shall specify in writing procedures for minimizing, collecting, storing, processing and disposing of garbage, including the use of the equipment on board and shall also designate a person to be the person who shall superintend compliance by the crew with the plan. The Garbage Management Plan shall be prepared in accordance with the guidelines (if any) for the time being developed by the Organization and shall be written in the working language of the crew.

(3) Every—

(a) ship of 400 tons gross tonnage and above,

(b) ship which is certified under any enactment to be a ship that: fulfils the conditions specified by that or any other enactment as being the conditions to be fulfilled for the carriage by the ship of 15 or more persons and engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties, and

(c) fixed and floating platform,

shall be provided by the owner with a book (in these Regulations referred to as a “Garbage Record Book”). The Garbage Record Book, whether as a part of the ship’s official log book or otherwise, shall be in the form specified in Schedule 2, and the following provisions shall have effect:

(i) Each discharge operation, or completed incineration, shall, in accordance with Schedule 2, be recorded in the Garbage Record Book and the recording of such an entry shall be accompanied by the signature (to be appended on the date of the incineration or discharge) by the officer in charge. Each completed page of the Garbage Record Book shall be signed by the master of the ship. The entries in the Garbage Record Book of a ship registered in another state that is a Party to the MARPOL Convention shall, when the ship is in the jurisdiction of the State, be in English, French or Spanish as well as in the official language of the state whose flag the ship is entitled to fly. The entries in the official national language as aforesaid shall prevail in case of a dispute or discrepancy;

(ii) The entry for each discharge or incineration shall, in accordance with Schedule 2, include the date and time of the discharge or incineration, the position of the ship, category of the garbage and the estimated amount discharged or incinerated;

- (iii) The Garbage Record Book shall be kept on board the ship or the fixed or floating platform, and in such a place as to be readily available for inspection at all reasonable times. This document shall be preserved for a period of at least 2 years from the date of the last entry made in it;
 - (iv) In the event of any discharge, escape or accidental loss referred to in section 11 of the Act an entry shall, in accordance with Schedule 2, be made in the Garbage Record Book, or in the case of any ship of less than 400 gross tonnage, an entry shall be made in the ship's official log-book, of the location, circumstances of, and the reasons for the discharge or loss, details of the items discharged or lost, and the reasonable precautions taken to prevent or minimize such discharge or accidental loss.
- (4) The Minister may exempt from the requirements of paragraph (3) the following:
- (a) any class of ship registered in the State which is engaged on voyages of 1 hour or less in duration and is certified under any enactment to be a ship that fulfils the conditions specified by that or any other enactment as being the conditions to be fulfilled for the carriage by that ship of 15 or more persons;
 - (b) any class of fixed or floating platforms.
- (5) An inspector or other officer duly appointed by the Minister may inspect the Garbage Record Books or ship's official log-book on board any ship to which this Regulation applies while the ship is in a port or offshore terminal within the jurisdiction of the State and may make a copy of any entry in those books, and may require the master of the ship to certify that the copy is a true copy of such an entry. Any copy so made, which has been certified by the master of the ship as a true copy of an entry as aforesaid, shall be admissible in any proceedings as evidence of the facts stated in the entry. The inspection of a Garbage Record Book or ship's official log-book and the taking of a certified copy under this paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.
- (6) The accidental loss or discharge of fishing gear as provided for in section 11 of the Act which poses a significant threat to the marine environment or navigation shall be reported to the State whose flag the ship is entitled to fly, and, where the loss or discharge occurs within waters subject to the jurisdiction of a coastal State, also to that coastal State.

Revocations.

11. The following are revoked:

- (a) Sea Pollution (Prevention of Pollution by Garbage from Ships) Regulations 1994 (S.I. No. 45 of 1994);

- (b) Sea Pollution (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 1997 (S.I. No. 516 of 1997);
- (c) Sea Pollution (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 2006 (S.I. No. 239 of 2006).

SCHEDULE 1

**REVISED CONSOLIDATED FORMAT FOR REPORTING ALLEGED
INADEQUACIES OF PORT RECEPTION FACILITIES¹**

The Master of a ship having encountered difficulties in discharging waste to reception facilities should forward the information below, together with any supporting documentation, to the Administration of the flag State and, if possible, to the competent Authorities in the port State. The flag State shall notify the IMO and the port State of the occurrence. The port State should consider the report and respond appropriately informing IMO and the reporting flag State of the outcome of its investigation.

1 SHIP'S PARTICULARS

- 1.1 Name of ship: _____
- 1.2 Owner or operator: _____
- 1.3 Distinctive number or letters: _____
- 1.4 IMO Number²: _____
- 1.5 Gross tonnage: _____
- 1.6 Port of registry: _____
- 1.7 Flag State³: _____
- 1.8 Type of ship:
- | | | |
|---|--|--|
| <input type="checkbox"/> Oil tanker | <input type="checkbox"/> Chemical tanker | <input type="checkbox"/> Bulk carrier |
| <input type="checkbox"/> Other cargo ship | <input type="checkbox"/> Passenger ship | <input type="checkbox"/> Other (specify) _____ |

2 PORT PARTICULARS

- 2.1 Country: _____
- 2.2 Name of port or area: _____
- 2.3 Location/terminal name: _____
(e.g. berth/terminal/jetty)
- 2.4 Name of company operating the reception facility (if applicable): _____
- 2.5 Type of port operation:
- | | | |
|--|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Unloading port | <input type="checkbox"/> Loading port | <input type="checkbox"/> Shipyard |
| <input type="checkbox"/> Other (specify) _____ | | |
- 2.6 Date of arrival: ___/___/___ (dd/mm/yyyy)
- 2.7 Date of occurrence: ___/___/___ (dd/mm/yyyy)
- 2.8 Date of departure: ___/___/___ (dd/mm/yyyy)

¹ This format was approved by the fifty-third session of the Marine Environment Protection Committee in July 2005.

² In accordance with the IMO ship identification number scheme adopted by the Organization by Assembly resolution A.600(15).

³ The name of the State whose flag the ship is entitled to fly.

3 INADEQUACY OF FACILITIES

3.1 Type and amount of waste for which the port reception facility was inadequate and nature of problems encountered

Type of waste	Amount for discharge (m ³)	Amount not accepted (m ³)	Problems encountered Indicate the problems encountered by using one or more of the following code letters, as appropriate. A No facility available B Undue delay C Use of facility technically not possible D Inconvenient location E Vessel had to shift berth involving delay/cost F Unreasonable charges for use of facilities G Other (please specify in paragraph 3.2)
MARPOL Annex I-related			
Type of oily waste:			
Oily bilge water			
Oily residues (sludge)			
Oily tank washings (slops)			
Dirty ballast water			
Scale and sludge from tank cleaning			
Other (please specify)			
MARPOL Annex II-related			
Category of NLS ⁴ residue/water mixture for discharge to facility from tank washings:			
Category X substance			
Category Y substance			
Category Z substance			
MARPOL Annex IV-related			
Sewage			
MARPOL Annex V-related			
Type of garbage:			
Plastic			
Floating dunnage, lining, or packing materials			
Ground paper products, rags, glass, metal, bottles, crockery, etc.			
Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc.			
Food waste			
Incinerator, ash			
Other (please specify)			
MARPOL Annex VI-related			
Ozone-depleting substances and equipment containing such substances			
Exhaust gas-cleaning residues			

⁴ Indicate, in paragraph 3.2, the proper shipping name of the NLS involved and whether the substance is designated as 'solidifying' or 'high viscosity' as per MARPOL Annex II regulation 1 paragraphs 15.1 and 17.1 respectively.

3.2 Additional information with regard to the problems identified in the above table.

3.3 Did you discuss these problems or report them to the port reception facility?

Yes No

If Yes, with whom (please specify)

If Yes, what was the response of the port reception facility to your concerns?

3.4 Did you give prior notification (in accordance with relevant port requirements) about the vessel's requirements for reception facilities?

Yes No Not applicable

If Yes, did you receive confirmation on the availability of reception facilities on arrival?

Yes No

4 ADDITIONAL REMARKS/COMMENTS

Master's signature

Date: __/__/____ (dd/mm/yyyy)

SCHEDULE 2
FORM OF GARBAGE RECORD BOOK

Name of ship: _____

Distinctive number or letters: _____

IMO No.: _____

Period: _____ From: _____ To: _____

1 Introduction

In accordance with regulation 10 of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL), a record is to be kept of each discharge operation or completed incineration. This includes discharges into the sea, to reception facilities, or to other ships, as well as the accidental loss of garbage.

2 Garbage and garbage management

Garbage means all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, cooking oil, fishing gear, and animal carcasses 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 the present Convention.

Garbage does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities which involve the transport of fish including shellfish for placement in the aquaculture facility and the transport of harvested fish including shellfish from such facilities to shore for processing.

The Guidelines for the Implementation of Annex V of MARPOL¹ should also be referred to for relevant information.

3 Description of the garbage

Garbage is to be grouped into categories for the purposes of the Garbage Record Book (or ship's official log-book) as follows:

A Plastics

B Food wastes

¹Refer to the Guidelines for the Implementation of Annex V of MARPOL 73/78, as amended by resolutions.

C Domestic Wastes

D Cooking Oil

E Incinerator ashes

F Operational wastes

G Cargo residues

H Animal Carcass(es)

I Fishing Gear²

4 Entries in the Garbage Record Book

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

4.1.1 When garbage is discharged to a reception facility³ ashore or to other ships:

- .1 Date and time of discharge:
- .2 Port or facility, or name of ship
- .3 Categories of garbage discharged
- .4 Estimated amount discharged for each category in cubic metres
- .5 Signature of officer in charge of the operation.

4.1.2 When garbage is incinerated:

- .1 Date and time of start and stop of incineration
- .2 Position of the ship (latitude and longitude) at the start and stop of incineration
- .3 Categories of garbage incinerated
- .4 Estimated amount incinerated in cubic metres
- .5 Signature of the officer in charge of the operation.

4.1.3 When garbage is discharged into the sea in accordance with regulations 4, 5 or 6 of Annex V of MARPOL:

- .1 Date and time of discharge

²Refer to Guidelines to be developed by the Organization.

³Ship's masters should obtain from the operator of the reception facilities, which includes barges and trucks, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept together with the Garbage Record Book.

.2 Position of the ship (latitude and longitude). Note: for cargo residue discharges, include discharge start and stop positions.

.3 Category of garbage discharged

.4 Estimated amount discharged for each category in cubic metres

.5 Signature of the officer in charge of the operation.

4.1.4 Accidental or other exceptional discharges or loss of garbage into the sea, including in accordance with regulation 7 of Annex V of MARPOL:

.1 Date and time of occurrence

.2 Port or position of the ship at time of occurrence (latitude, longitude and water depth if known)

.3 Categories of garbage discharged or lost

.4 Estimated amount for each category in cubic metres

.5 The reason for the discharge or loss and general remarks.

4.2 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 recognized 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, e.g., 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:

A. Plastics

B. Food wastes

C. Domestic wastes (e.g., paper products, rags, glass, metal, bottles, crockery, etc.)

D. Cooking oil

E. Incinerator Ashes

F. Operational wastes

G. Cargo residues

H. Animal Carcass(es)

I. Fishing gear

NEW TABLE LAYOUT AS BELOW:

Date/ Time	Position of the Ship/ Remarks (e.g., accidental loss)	Category	Estimated Amount Discharged or Incinerated	To Sea	To Reception Facility	Incineration	Certification/ Signature

Master's signature: _____

Date: _____



GIVEN under my Official Seal,
20 September 2012.

LEO VARADKAR,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give effect to Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL Convention), adopted by the International Maritime Organisation on 2 November, 1973 and as amended by its Protocol adopted on 17 February, 1978, and as further amended by the Marine Environment Protection Committee (MEPC) of the International Maritime Organisation.

These regulations revoke the Sea Pollution (Prevention of Pollution by Garbage from Ships) Regulations 1994 (S.I. No. 45 of 1994); the Sea Pollution (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 1997 (S.I. No. 516 of 1997); and the Sea Pollution (Prevention of Pollution by Garbage from Ships) (Amendment) Regulations 2006 (S.I. No. 239 of 2006).

The Regulations apply to all Irish ships wherever they may be and to all other ships when they are in the territorial seas and inland waters of the State.

The purpose of the Regulations is to prohibit and control the disposal of garbage into the sea in accordance with the type of garbage for disposal and the geographical location of the ship.

They also provide for the availability of adequate facilities at ports and terminals for the reception of garbage.

In addition the Regulations include requirements for certain ships to have Garbage Management Plans and to carry Garbage Record Books.

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