

## Chapter 2 – Surveys and certification

### Regulation 6

#### Surveys

1 Every oil tanker of 150 gross tonnage and above, and every other ship of 400 gross tonnage and above shall be subject to the surveys specified below:

- .1 an initial survey before the ship is put in service or before the Certificate required under regulation 7 of this Annex is issued for the first time, which shall include a complete survey of its structure, equipment, systems, fittings, arrangements and material in so far as the ship is covered by this Annex. This survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with the applicable requirements of this Annex;
- .2 a renewal survey at intervals specified by the Administration, but not exceeding 5 years, except where regulation 10.2.2, 10.5, 10.6 or 10.7 of this Annex is applicable. The renewal survey shall be such as to ensure that the structure, equipment, systems, fittings, arrangements and material fully comply with applicable requirements of this Annex;
- .3 an intermediate survey within 3 months before or after the second anniversary date or within 3 months before or after the third anniversary date of the Certificate which shall take the place of one of the annual surveys specified in paragraph 1.4 of this regulation. The intermediate survey shall be such as to ensure that the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, crude oil washing systems, oily-water separating equipment and oil filtering systems, fully comply with the applicable requirements of this Annex and are in good working order. Such intermediate surveys shall be endorsed on the Certificate issued under regulation 7 or 8 of this Annex;

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- .4 an annual survey within 3 months before or after each anniversary date of the Certificate, including a general inspection of the structure, equipment, systems, fittings, arrangements and material referred to in paragraph 1.1 of this regulation to ensure that they have been maintained in accordance with paragraphs 4.1 and 4.2 of this regulation and that they remain

satisfactory for the service for which the ship is intended. Such annual surveys shall be endorsed on the Certificate issued under regulation 7 or 8 of this Annex; and

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- .5 an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in paragraph 4.3 of this regulation, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory and that the ship complies in all respects with the requirements of this Annex.

2 The Administration shall establish appropriate measures for ships which are not subject to the provisions of paragraph 1 of this regulation in order to ensure that the applicable provisions of this Annex are complied with.

3.1 Surveys of ships as regards the enforcement of the provisions of this Annex shall be carried out by officers of the Administration. The Administration may, however, entrust the surveys either to surveyors nominated for the purpose or to organizations recognized by it. Such organizations shall comply with the guidelines adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the specifications adopted by the Organization by resolution A.789(19), as may be amended by the Organization, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to this Annex.

3.2 An Administration nominating surveyors or recognizing organizations to conduct surveys as set forth in paragraph 3.1 of this regulation shall, as a minimum, empower any nominated surveyor or recognized organization to:

- .1 require repairs to a ship; and
- .2 carry out surveys, if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations, for circulation to Parties to the present Convention for the information of their officers.

3.3 When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond

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substantially with the particulars of the Certificate or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the Certificate shall be withdrawn and the Administration shall be notified immediately; and if the ship is in a port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall take such steps as will ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the nearest appropriate repair yard available without presenting an unreasonable threat of harm to the marine environment.

3.4 In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

4.1 The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

4.2 After any survey of the ship under paragraph 1 of this regulation has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fittings.

4.3 Whenever an accident occurs to a ship or a defect is discovered which substantially affects the integrity of the ship or the efficiency or completeness of its equipment covered by this Annex the master or owner of the ship shall report at the earliest opportunity to the Administration, the recognized organization or the nominated surveyor responsible for issuing the relevant Certificate, who shall cause investigations to be initiated to determine whether a survey as required by paragraph 1 of this regulation is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such report has been made.

## Regulation 7

### *Issue or endorsement of certificate*

SEE INTERPRETATIONS 12.1 TO 12.7.3

1 An International Oil Pollution Prevention Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 6 of this Annex, to any oil tanker of 150 gross tonnage and above and any other ships of 400 gross tonnage and above which are engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the present Convention.

2 Such certificate shall be issued or endorsed as appropriate either by the Administration or by any persons or organization duly authorized by it. In every case the Administration assumes full responsibility for the certificate.

## Regulation 8

### *Issue or endorsement of certificate by another Government*

1 The Government of a Party to the present Convention may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the provisions of this Annex are complied with, shall issue or authorize the issue of an International Oil Pollution Prevention Certificate to the ship and, where appropriate, endorse or authorize the endorsement of that certificate on the ship in accordance with this Annex.

2 A copy of the certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

3 A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as the certificate issued under regulation 7 of this Annex.

4 No International Oil Pollution Prevention Certificate shall be issued to a ship which is entitled to fly the flag of a State which is not a Party.

## Regulation 9

### *Form of certificate*

SEE INTERPRETATION 13

The International Oil Pollution Prevention Certificate shall be drawn up in the form corresponding to the model given in appendix II to this Annex and shall be at least in English, French or Spanish. If an official language of the

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issuing country is also used, this shall prevail in case of a dispute or discrepancy.

### **Regulation 10**

#### *Duration and validity of certificate*

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SEE INTERPRETATION 14

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1 An International Oil Pollution Prevention Certificate shall be issued for a period specified by the Administration, which shall not exceed five years.

2.1 Notwithstanding the requirements of paragraph 1 of this regulation, when the renewal survey is completed within 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing certificate.

2.2 When the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of expiry of the existing certificate.

2.3 When the renewal survey is completed more than 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding 5 years from the date of completion of the renewal survey.

3 If a certificate is issued for a period of less than 5 years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph 1 of this regulation, provided that the surveys referred to in regulations 6.1.3 and 6.1.4 of this Annex applicable when a certificate is issued for a period of 5 years are carried out as appropriate.

4 If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.

5 If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than 3 months,

and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

6 A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

7 In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraphs 2.2, 5 or 6 of this regulation. In these special circumstances, the new certificate shall be valid to a date not exceeding 5 years from the date of completion of the renewal survey.

8 If an annual or intermediate survey is completed before the period specified in regulation 6 of this Annex, then:

- .1 the anniversary date shown on the certificate shall be amended by endorsement to a date which shall not be more than 3 months later than the date on which the survey was completed;
- .2 the subsequent annual or intermediate survey required by regulation 6.1 of this Annex shall be completed at the intervals prescribed by that regulation using the new anniversary date; and
- .3 the expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 6.1 of this Annex are not exceeded.

9 A certificate issued under regulation 7 or 8 of this Annex shall cease to be valid in any of the following cases:

- .1 if the relevant surveys are not completed within the periods specified under regulation 6.1 of this Annex;
- .2 if the certificate is not endorsed in accordance with regulation 6.1.3 or 6.1.4 of this Annex; or
- .3 upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulations 6.4.1 and 6.4.2 of this Annex. In the case of a transfer between Parties, if requested within 3 months after the transfer has taken place, the

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Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

### **Regulation 11**

#### *Port State control on operational requirements\**

1 A ship when in a port or an offshore terminal of another Party is subject to inspection by officers duly authorized by such Party concerning operational requirements under this Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by oil.

2 In the circumstances given in paragraph 1 of this regulation, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this Annex.

3 Procedures relating to the port State control prescribed in article 5 of the present Convention shall apply to this regulation.

4 Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the present Convention.

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\* Refer to the Procedures for port State control, adopted by the Organization by resolution A.787(19), as amended by resolution A.882(21); see IMO publication, Sales number IA650E.