
First published in the *Government Gazette*, Electronic Edition, on 27 October 2022 at 5 pm.

No. S 835

PREVENTION OF POLLUTION OF THE SEA ACT 1990

PREVENTION OF POLLUTION OF THE SEA (OIL) (AMENDMENT NO. 2) REGULATIONS 2022

In exercise of the powers conferred by section 34 of the Prevention of Pollution of the Sea Act 1990, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, makes the following Regulations:

Citation and commencement

1.—(1) These Regulations are the Prevention of Pollution of the Sea (Oil) (Amendment No. 2) Regulations 2022 and, except for regulation 2, come into operation on 1 November 2022.

(2) Regulation 2 is deemed to have come into operation on 31 December 2021.

Amendment of regulation 2

2. In regulation 2 of the Prevention of Pollution of the Sea (Oil) Regulations 2006 (G.N. No. S 685/2006), replace the definition of “authorised organisation” with —

““authorised organisation” means an organisation authorised by regulations made under section 116 of the Merchant Shipping Act 1995 for the purposes of surveying ships and issuing certificates under Part 5 of that Act;”.

Amendment of First Schedule

3. In the First Schedule to the Prevention of Pollution of the Sea (Oil) Regulations 2006 —

(a) in regulation 1, after paragraph 39, insert —

“40 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 carries no oil (as defined in regulation 1.1 of this Annex);
- .3 has no machinery fitted that may use oil or generate oil residue (sludge);
- .4 has no oil fuel tank, lubricating oil tank, oily bilge water holding tank and oil residue (sludge) tank; and
- .5 has neither persons nor living animals on board.”;

(b) in regulation 3, replace paragraph 2 with —

“2 Particulars of any such exemption, except those under paragraph 7 of this regulation, granted by the Administration shall be indicated in the Certificate referred to in regulation 7 of this Annex.”;

(c) in regulation 3, after paragraph 6, insert —

“7 The Administration may exempt a UNSP barge* from the requirements of regulations 6.1 and 7.1 of this Annex, by an International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding five years provided that the UNSP barge has undergone a survey to confirm that the conditions referred to in regulations 1.40.1 to 1.40.5 of this Annex are met.

*Refer to the *Guidelines for exemption of unmanned non-self-propelled (UNSP) barges from certain survey and certification requirements under the MARPOL Convention (MEPC.1/Circ.892)*.”;

(d) in regulation 8, replace paragraph 4 with —

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

(e) replace regulation 9 with —

“Regulation 9

Form of certificate

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

2 The International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix IV to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy.”;

(f) in Chapter 9, replace the Chapter heading with —

“CHAPTER 9

SPECIAL REQUIREMENTS FOR THE USE OR CARRIAGE
OF OILS IN POLAR WATERS”;

(g) after regulation 43, insert —

“Regulation 43A

*Special requirements for the use and carriage of oils
as fuel in Arctic waters*

1 With the exception of ships engaged in securing the safety of ships or in search and rescue operations, and ships dedicated to oil spill preparedness and response, the use and carriage of oils listed in regulation 43.1.2 of this Annex as fuel by ships shall be prohibited in Arctic waters, as defined in regulation 46.2 of this Annex, on or after 1 July 2024.

2 Notwithstanding the provisions of paragraph 1 of this regulation, for ships to which regulation 12A of this Annex or regulation 1.2.1 of chapter 1 of part II-A of the Polar Code applies, the use and carriage of oils listed in regulation 43.1.2 of this Annex as fuel by those ships shall be prohibited in Arctic waters, as defined in regulation 46.2 of this Annex, on or after 1 July 2029.

3 When prior operations have included the use and carriage of oils listed in regulation 43.1.2 of this Annex as fuel, the cleaning or flushing of tanks or pipelines is not required.

4 Notwithstanding the provisions of paragraphs 1 and 2 of this regulation, the Administration of a Party to the present Convention the coastline of which borders on Arctic waters may temporarily waive the requirements of paragraph 1 of this regulation for ships flying the flag of that Party while operating in waters subject to the sovereignty or jurisdiction of that Party, taking into account the guidelines to be developed by the Organization. No waivers issued under this paragraph shall apply on or after 1 July 2029.

5 The Administration of a Party to the present Convention which allows application of paragraph 4 of this regulation shall communicate to the Organization for circulation to the Parties particulars of the waiver thereof, for their information and appropriate action, if any.”; and

(h) after appendix III, insert —

“APPENDIX IV

FORM OF EXEMPTION CERTIFICATE FOR
UNSP BARGES

INTERNATIONAL OIL POLLUTION PREVENTION
EXEMPTION CERTIFICATE FOR UNMANNED
NON-SELF-PROPELLED (UNSP) BARGES

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, as amended, relating thereto (hereinafter referred to as “the Convention”) under the authority of the Government of:

.....
(full designation of the country)

by
*(full designation of the competent person or organization
authorized under the provisions of the Convention)*

Particulars of ship*

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

THIS IS TO CERTIFY:

1 That the UNSP barge has been surveyed in accordance with regulation 3.7 of Annex I to the Convention;

2 That the survey shows that the UNSP barge:

.1 is not propelled by mechanical means;

.2 carries no oil (as defined in regulation 1.1 of Annex I to the Convention);

.3 has no machinery fitted that may use oil or generate oil residue (sludge);

.4 has no oil fuel tank, lubricating oil tank, oily bilge water holding tank and oil residue (sludge) tank; and

.5 has neither persons nor living animals on board; and

3 That the UNSP barge is exempted, under regulation 3.7 of Annex I to the Convention, from the certification and related survey requirements of regulations 6.1 and 7.1 of Annex I to the Convention.

This certificate is valid until *(dd/mm/yyyy)*
subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based
(dd/mm/yyyy)

Issued at

(place of issue of certificate)

.....

(date of issue) (dd/mm/yyyy)

*(signature of duly authorized
official issuing the certificate)*

(seal or stamp of the authority, as appropriate)

* Alternatively, the particulars of the ship may be placed horizontally in boxes.”.

*[G.N. Nos. S 393/2007; S 26/2008; S 466/2008;
S 792/2010; S 399/2011; S 469/2013; S 867/2014;
S 800/2015; S 79/2016; S 666/2016; S 112/2018;
S 805/2020; S 113/2022]*

Made on 27 October 2022.

KEVIN SHUM
*Member,
Maritime and Port Authority of
Singapore.*

[MPA 46/06.C03/MN; AG/LEGIS/SL/243/2020/1 Vol. 1]