

MINISTRY OF TRANSPORT AND COMMUNICATIONS

DEPARTMENT OF MARINE ADMINISTRATION

**No-363/421, Corner of Merchant & Theinbyu Road,
Botataung Township, Yangon, Myanmar**

E-mail: dgdma.mm@gmail.com; dma.myan@gmail.com

Tel: 095 -1- 397640

P.O.Box: 194

Fax: 095 -1- 397641

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Directive (21/2017)

Draft National Regulation for the Prevention of Pollution by Oil from Myanmar Coastal Oil Tanker of 150 GT and above and Coastal Cargo Ship of 400 GT and above engaged on Myanmar Waters

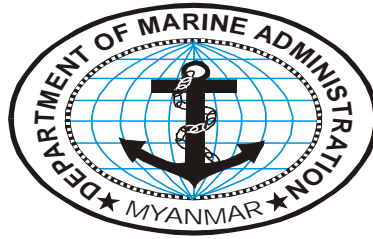
Applicable to: Ship owners, Recognized Organizations, Shipping Companies, Flag State Surveyors

1. The Department of Marine Administration circulated this directive in the exercise of the power of Section 294(B), paragraph (b) of Myanmar Merchant Shipping Act.
2. Comply to the provision of section 213 (A) of Myanmar Merchant Shipping Act and MARPOL Annex I (Regulation for the Prevention of Pollution by oil from Ships), the Department of Marine Administration provided this prepared regulation (draft) to be used as a National reference for the prevention of pollution by oil from Myanmar coastal oil tanker of 150 GT and above and coastal cargo ship of 400 GT and above engaged on Myanmar waters whilst the draft regulation is being legislated in process.
3. The purpose of this directive is the prevention of pollution by from Myanmar coastal oil tanker of 150 GT and above and coastal cargo ship of 400 GT and above engaged on Myanmar waters to be complied with the requirements of the MARPOL Annex I (Regulation for the Prevention of Pollution by oil from Ships).

Maung Maung Oo
Director General

Department of Marine Administration

THE REPUBLIC OF THE UNION OF MYANMAR



**MINISTRY OF TRANSPORT AND COMMUNICATIONS
DEPARTMENT OF MARINE ADMINISTRATION**

**National Regulation for the Prevention of
Pollution by Oil from Myanmar Coastal Oil
Tanker of 150 GT and above and Coastal Cargo
Ship of 400 GT and above Engaged on
Myanmar Waters
(Draft)**

Date

Resvise-00

**National Regulation for the Prevention of Pollution by Oil from Myanmar Coastal
Vessels Engaged on Myanmar Waters (Draft)**

PART I

GENERAL

1. Citation

These Regulations may be cited as the Myanmar Merchant Shipping Oil Pollution Prevention Regulation for Myanmar coastal vessels engaged on Myanmar waters only.

2. Definition

In these Regulations, except where the context otherwise requires-

"amidships" means at the middle of the length (L);

"Annex I" means Annex I to the Convention (which sets out regulations for the prevention of pollution by oil);

"anniversary date" means the day and month in each year corresponding to the day and month of expiry of the IOPP Certificate;

"approved" means approved by the Minister with responsibility for the Department of Marine Administration or by a Certifying Authority;

"area" in relation to a ship shall be calculated in all cases to moulded lines;

"Myanmar ship" has the same meaning as in regulation 3 (a) of this Regulation.

"breadth (B)" means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material, measured in metres;

"centre tank" means any tank inboard of a longitudinal bulkhead;

"Certificate" has the same meaning as "IOPP Certificate" as defined within these Regulations;

"Certifying Authority" means the Minister with responsibility for the Department of Marine Administration or any person authorized by the Minister and includes in particular (if so authorized) Lloyd's Register, Bureau Veritas, Det Norske Veritas, Germanischer Lloyd, the American Bureau of Shipping, RINA and Class NK;

"chemical tanker" means a ship constructed or adapted for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;

"clean ballast" means the ballast in a tank which, since oil was last carried therein, has been so cleaned that the effluent there from, if it were discharged from a ship which is stationary into clean calm water on a clear day would not produce visible traces of oil on the surface of the water or on adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines. If the ballast is discharged through an approved oil discharge monitoring and control system, evidence based on such a system that the oil content of the effluent did not exceed 15 ppm shall be determinative that the ballast was clean, notwithstanding the presence of visible traces referred to above;

"combination carrier" means a ship designed to carry either oil or solid cargoes in bulk;

"controlled waters" means the waters specified as areas within which the jurisdiction and rights of Myanmar are exercisable by the Merchant Shipping (Prevention of Pollution) (Limits) Regulations 2007;

"the Convention" means the International Convention for the Prevention of Pollution from Ships 1973, including its protocols, Annex I (but no other Annex) and appendices thereto, as amended by the Protocol of 1978 to that Convention and includes all the amendments adopted by the Organization's Marine Environment Protection Committee;

"Crude oil" means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation, and includes-

- (a) crude oil from which certain distillate fractions may have been removed; and
- (b) crude oil to which certain distillate fractions may have been added;

"crude oil tanker" means an oil tanker engaged in the trade of carrying crude oil;

"deadweight" (DW) means the difference in metric tons between the displacement of a ship in water of a relative density of 1.025 at the load waterline corresponding to the assigned summer freeboard and the lightweight of the ship;

"discharge", in relation to harmful substances or effluents containing such substances, means any release, howsoever caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying; but does not include--

- (a) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter signed in London on 13 November 1972; or
- (b) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (c) release of harmful substances for purposes of legitimate scientific research into pollution abatement or control,

and "to discharge" shall be constructed accordingly;

"existing ship", without prejudice to regulation 24, means a ship which is not a new ship;

"filtering equipment" means filters or any combination of separators and filters which are designed to produce effluent containing not more than 15ppm of oil;

"flag state" means the state whose flag a ship is entitled to fly;

"forward and after perpendiculars" shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the foreside of the stem on the waterline on which the length is measured;

"Government ship" has the same meaning as in section 3(c) of this regulation.

"**GT**" means gross registered tonnage and the gross registered tonnage of a ship having alternative gross registered tonnages shall be taken to be the larger of those tonnages;

"**Guidelines and Specifications for oil discharge monitoring and control systems for oil tankers**" means Resolution A496 (XII) or the revised Guidelines and specifications for oil discharge control and monitoring systems for oil tankers adopted by the Organization by Resolution A.586(14), or the Revised Guidelines and specifications for oil discharge monitoring and control systems for oil tankers adopted by the Organization by Resolution MEPC.108(49) as applicable;

"**harmful substance**" means any substance which, if introduced into the sea, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or interfere with other legitimate uses of the sea, and includes any substance subject to control by the present Convention;

"**instantaneous rate of discharge of oil content**" means the rate of discharge of oil in litres per hour at any instant divided by the speed of the ship in knots at the same instant;

"**IOPP Certificate**" means the International Oil Pollution Prevention Certificate issued in accordance with the Convention;

"**International Bulk Chemical Code**" means the International Code for Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk;

"**length**" (L) means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. The length (L) shall be measured in metres;

"**lightweight**" means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects;

"**major conversion**" means a conversion of an existing ship--

- (a) which substantially alters the dimensions or carrying capacity of the ship; or
- (b) which changes the type of the ship; or
- (c) the intent of which, in the opinion of the finisher with responsibility for the Department Maritime Administration, is substantially to prolong its life; or
- (d) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the Protocol not applicable to it as an existing ship; but conversion of-
- (e) an existing oil tanker of 20,000 tons deadweight and above to meet the requirements.
- (f) an existing oil tanker to meet the requirements of regulation 31, shall not be deemed to constitute a major conversion;

"Merchant Shipping Notice " means a notice described as such and issued by the Department of Marine Administration and any reference to a particular Merchant Shipping Notice includes a reference to any Merchant Shipping Notice amending or replacing that Notice;

"mile" means an international nautical mile that is to say a distance of 1,852 metres;

"Minister" means the Minister with responsibility for the Department of Maritime Administration;

"nearest land": in relation to all land other than the part of Australia specified below

"from the nearest land" means from the nearest base-line from which the territorial sea of any territory is established in accordance with the United Nations Convention on the Law of the Sea.

"new ship", except as provided in regulation 24, means a ship--

- (a) for which the building contract was placed after 31 December 2019.
- (b) in the absence of a building contract, the keel of which was laid, or which was at a similar stage of construction after 31 December 2020; or
- (c) the delivery of oil tanker built in Myanmar which was after 31 December 2021.
- (d) the delivery of tanker imported on board which was after 31 December 2019.
- (e) which has undergone a major conversion-
 - (i) for which the contract was placed after 31 December 2019; or
 - (ii) in the absence of a contract, the construction work of which was begun after 31 December 2020; or
 - (iii) which was completed after 1 January 2021,

"oil" means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products, other than those petrochemicals which are subject to the provisions of Annex II of the Convention and, without limiting the generality of the foregoing, includes the substances listed in appendix I of Annex I of the Convention;

"oil fuel" means any oil used as fuel in connection with the propulsion and auxiliary machinery of the ship in which such oil is carried;

"oil tanker" means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes a combination carrier or any "NLS tanker as defined in Annex II of the present Convention and any gas carrier as defined in regulation 3.20 of chapter II-1 of SOLAS 74 (as amended) when carrying a cargo or part cargo of oil in bulk;

"oily mixture" means a mixture with any oil content;

"permeability" of a space means the ratio of the volume within that space which is assumed to be occupied by water to the total volume of that space;

"ppm" means parts per million;

"product carrier" means an oil tanker engaged in the trade of carrying oil other than crude oil;

"proper officer" has the same meaning as in the Merchant Shipping Act 2007;

"Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters" means Resolution A393(X), or the guidelines and specifications for pollution prevention equipment for machinery space bilges of ships, adopted by the Marine Environment Protection Committee by resolution MEPC.60(33), or the Revised guidelines and specifications for pollution prevention equipment for machinery space bilges of ships adopted by the Marine Environment Protection Committee by resolution MEPC.107(49);

"sea" includes any estuary or arm of the sea;

"segregated ballast" means the ballast water introduced into a tank which is completely separated from the cargo oil and oil fuel system and which is permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious liquid substances;

"separating equipment" means either separators or filters, or any combination of them, which are approved in accordance with the "Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters";

"ship" means a vessel of any type whatsoever operating in the marine environment including waters navigable by sea-going vessels and includes submersible craft, floating craft and a structure which is a fixed or floating platform but excludes hovercraft;

"special area" means a sea area where, for recognized technical reasons in relation to its oceanographically and ecological condition and to the particular character of its traffic, the adoption of special mandatory methods for the prevention of sea pollution by oil is required.

"Specifications for Oil Tankers with Dedicated Clean Ballast Tanks" means the International Maritime Organization's Resolution Number A495 (Pill);

"Specifications for Oil/Water Interface Detectors" means the International Maritime Organization's Resolution Number MEPC S(}QII);

"Specifications for the Design, Operation and Control of Crude Oil Washing Systems", means the International Maritime Organization's Resolution Number A446(1) as amended by Resolutions A.497(XII) and A.897(21);

"surveyor" means a surveyor appointed by the Department of Marine Administration;

"tank" means an enclosed space which is formed by the permanent structure of a ship and which is designed for the carriage of liquid in bulk;

"volume" in relation to a ship shall be calculated in all case to moulded lines;

"wing tank" means any tank adjacent to the side shell plating.

3. Applications

- (1) Unless expressly provided otherwise, these Regulations apply to Myanmar oil tanker of 150 GT and above, Myanmar cargo ship of 400 GT and above engaged on Myanmar Waters only.

4. Exemptions

- (1) These Regulations do not apply to any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non- commercial service.
- (2) The Director General may exempt a ship of a new type whose constructional features are such as to render the application of any of the provisions of regulations 14 to 29 relating to construction and equipment unreasonable or impracticable from those provisions, provided that the construction and equipment of that ship provides equivalent protection against pollution by oil, having regard to the service for which it is intended.
- (3) In ships, other than oil tankers, fitted with bunker space which are constructed and used to carry oil in bulk of an aggregate capacity of 200 cubic metres or more, the requirements of regulations 13, 21, 23(1), (2) and (3) for oil tankers shall also apply to the construction and operation of these spaces.

5. Exceptions

This National Oil Pollution Prevention Regulation shall not apply to:

- (1) the discharge into the sea of oil or oily mixture necessary for the purpose of securing the safety of a ship or saving life at sea; or
- (2) the discharge into the sea of oil or oily mixture resulting from damage to a ship or its equipment:
 - (i) provided that all reasonable precautions have been taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and
 - (ii) except if the owner or the master acted either with intent to cause damage, or recklessly and with knowledge that damage would probably result; or
- (3) the discharge into the sea of substances containing oil, approved by the Administration, when being used for the purpose of combating specific pollution incidents in order to minimize the damage from pollution. Such discharge in above cases shall be subjected to the approval of Myanmar Government.

6. Equivalentents

The Director General may permit any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by these Regulations if such fitting, material, appliance or apparatus is at least as effective as that required by these Regulations.

PART II

SURVEYS, CERTIFICATES AND OIL RECORD BOOK

7. Surveys

- (1) A Myanmar oil tanker of 150 GT and above and Myanmar Cargo ship of 400 GT and above, shall be subject to the following surveys-
 - (a) an initial survey shall be carried out before the ship is put in service, or before an IOPP Certificate is first issued in relation to the ship.
 - (b) a renewal survey shall be carried out within five years of the first issue of an IOPP Certificate.
 - (c) an additional survey shall be carried out after a repair resulting from investigations, or whenever any important repairs or renewals are made.
 - (d) an intermediate survey shall be carried out within three months before or after the second or third anniversary date of an IOPP Certificate being issued; and
 - (e) an annual survey shall be carried out within three months before or after each anniversary date of the issue of the ship's IOPP Certificate.
- (2) A Myanmar oil tanker of 150 GT and above and Myanmar Cargo ship of 400 GT and above, shall be subject to the following surveys-
 - (a) an initial survey shall be carried out before the ship is put in service, or before an IOPP Certificate is first issued in relation to the ship.
 - (b) a renewal survey shall be carried out within five years of the first issue of an IOPP Certificate.
 - (c) an additional survey shall be carried out after a repair resulting from investigations, or whenever any important repairs or renewals are made.
 - (d) an intermediate survey shall be carried out within three months before or after the second or third anniversary date of an IOPP Certificate being issued; and
 - (e) an annual survey shall be carried out within three months before or after each anniversary date of the issue of the ship's IOPP Certificate.
- (3) A Myanmar oil tanker of 150 GT and above and Myanmar Cargo ship of 400 GT and above, shall be subject to the following surveys-
 - (a) an initial survey shall be carried out before the ship is put in service, or before an IOPP Certificate is first issued in relation to the ship.
 - (b) a renewal survey shall be carried out within five years of the first issue of an IOPP Certificate.
 - (c) an additional survey shall be carried out after a repair resulting from investigations, or whenever any important repairs or renewals are made.
 - (d) an intermediate survey shall be carried out within three months before or after the second or third anniversary date of an IOPP Certificate being issued; and

- (e) an annual survey shall be carried out within three months before or after each anniversary date of the issue of the ship's IOPP Certificate.

8. Form of certificate

The National Oil Pollution Prevention Certificate shall be drawn up by the Administration in English.

9. Responsibilities of owner and master

- (1) The owner and master of every ship shall ensure that the condition of the ship and its equipment shall be maintained to conform-
 - (a) in the case of a Myanmar ship, or any ship surveyed, comply to the provision of these regulation.
 - (b) in the case of any other ship, 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.
- (2) The owner and master of every ship shall ensure that after any survey of the ship required by these Regulations, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey without the approval of the Department of Marine Administration.
- (3) The owner and master of every ship shall ensure that whenever an accident occurs to a ship or a defect is discovered which, in either case, substantially affects the integrity of the ship or the efficiency or completeness of its equipment, shall be reported at the earliest opportunity to the Department of Marine Administration.
- (4) Whenever an accident or defect is reported to the Department of Marine Administration investigations to be initiated to determine whether or not a survey by a surveyor is necessary, and if a survey is found to be necessary require that survey to be carried out.

10. Issue and Endorsement of Certificates

- (1) Where the Department of Marine Administration is satisfied after the completion of an initial or renewal survey carried out in accordance with this regulation , shall issue to any oil tanker of 150 GT and above and Myanmar oil tanker other ship of 400 GT and above engaged in Myanmar voyages, an IOPP Certificate.
- (2) Where the Department of Marine Administration is satisfied after the completion of an intermediate or annual survey in accordance with the provisions of these regulation, shall so endorse the IOPP Certificate issued to the ship.
- (3) If any oil tanker of 150 GT and above and any other ship of 400 GT and above which was previously under the flag of another State becomes a Myanmar registered ship engaged on Myanmar waters, the Department of Marine Administration shall issue an IOPP Certificate to that ship if it is fully satisfied in compliance with the requirements of these regulation.

11. Duration and validity of Certificates

- (1) An IOPP Certificate shall be issued-
 - (a) on the date of the completion of the relevant survey;
 - (b) as being valid from the date of issue; and
 - (c) for a period of validity not exceeding five years.
- (2) Where a renewal survey required under regulation 7(1)(b) above has been completed within a period of three months before the date of expiry of an IOPP Certificate, the new Certificate shall be issued as being valid from the date of expiry of the existing Certificate.
- (3) Where a renewal survey required under regulation 7(1)(b) above has been completed after the expiry of an IOPP Certificate, the new Certificate shall be issued as being valid from the date of expiry of that expired Certificate.
- (4) Where an annual or intermediate survey is completed before the period prescribed for such a survey in regulation 7(1) (e) and (d) above -
 - (a) the anniversary date shown on the IOPP Certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
 - (b) subsequent annual or intermediate surveys required under regulation 7(1) (e) and (d) shall be completed at the intervals prescribed by those regulations using the new anniversary date; and
 - (c) 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 7(1) (e) and (d) are not exceeded.
- (5) An IOPP Certificate shall cease to be valid-
 - (a) if its period of validity has been exceeded and the Certificate has either not been extended by the Department of Marine Administration in accordance with regulation 8 or the period of any such extension has expired;
 - (b) if the relevant surveys have not been completed within the periods specified in regulation 7 and the Certificate endorsed in accordance with regulation 10; or
 - (c) upon transfer of the ship to the flag of another State.
 - (d) Vessel Oil Sailing out of Myanmar waters

12. Extension of validity of Certificates

- (1) Where an IOPP Certificate has been issued for a period of validity of less than five years and the intermediate and annual surveys required under regulation 7(1) (e) and (d) above have been completed , the Department of Marine Administration may extend the validity of that certificate so that the certificate is valid for a maximum period of five years.

- (2) Where a renewal survey required under regulation 7(1)(b) has been completed before the expiry of an IOPP Certificate but the new Certificate cannot be issued or placed on board the ship before the expiry of the existing Certificate, the Department of Marine Administration may endorse the existing Certificate as valid for a period not exceeding five months from the expiry date of the existing Certificate.
- (3) Where a renewal survey required under regulation 7(1)(b) has not been completed before the expiry of an IOPP Certificate and at the time of expiry the ship is not in a port in which it is to be surveyed, the Department of Marine Administration may, where it appears to it proper and reasonable to do so, extend the validity of the Certificate, solely for the purpose of allowing the ship to complete its voyage to its port of survey, for a period of no more than three months.
- (4) Where no other extension has been granted, the Department of Marine Administration may extend the validity of the IOPP Certificate of a ship used solely on short international voyages for a period of no more than one month.
- (5) An extension of validity under paragraph (3) or (4) above shall be disregarded for the purposes of determining the date of expiry of an existing IOPP Certificate under regulation 7(1).
- (6) In special circumstances as determined by the Director General, where a renewal survey required under regulation 7(1)(b)-
 - (a) has been completed after the expiry of the IOPP Certificate;
 - (b) has been completed during the period for which the validity of the IOPP Certificate has been extended in accordance with paragraph (3); or
 - (c) has been completed during the period for which the validity of the IOPP Certificate has been extended in accordance with paragraph (4),
 the new Certificate may be issued as being valid from the date of the completion of the renewal survey.

13. Oil Record Book

- (1) Every Myanmar ship of 400 GT and above, other than an oil tanker, and every oil tanker of 150 GT and above engaged in Myanmar Waters shall be provided with an Oil Record Book, Part I (Machinery Space Operations). Every oil tanker of 150 GT and above shall also be provided with an Oil Record Book, Part II (Cargo/ Ballast Operations). The Oil Record Book shall be in the form prescribed by the Administration in English and National Languages.
- (2) The Oil Record Book shall be completed on each occasion, on a tank-to-tank basis if appropriate, whenever any of the following operations take place in the ship-
 - (a) for machinery space operations (all ships)-
 - (i) ballasting or cleaning of oil fuel tanks;
 - (ii) discharging ballast or cleaning water from oil fuel tanks;
 - (iii) disposing oily residues (sludge);

- (iv) discharging overboard bilge water which has accumulated in machinery spaces;
- (b) for cargo/ballast operation (oil tankers)-
 - (i) loading oil cargo;
 - (ii) internal transfer of oil cargo during voyage;
 - (iii) unloading oil cargo;
 - (iv) ballasting cargo tanks and dedicated clean ballast tanks;
 - (v) cleaning cargo tanks including crude oil washing;
 - (vi) discharging ballast except from segregated ballast tanks;
 - (vii) discharging water from slop tanks;
 - (viii) closing, after the discharge of the contents of the slop tanks, all valves or similar devices opened to permit such operations;
 - (ix) closing those valves necessary for the isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations; and
 - (x) disposing residues.
- (3) In the event of a discharge of oil or oily mixture as is referred to in regulation 16 or in the event of an accidental or other exceptional discharge of oil not excepted by that regulation, a statement shall be made in the Oil Record Book of the circumstances of, and the reasons for, the discharge.
- (4) Each operation described in paragraph (2) shall be fully recorded without delay in the Oil Record Book so that all entries in the book appropriate to that operation are completed. Each completed operation shall be signed by the officer or officers in charge of the operations concerned and each completed page shall be signed by the master.
- (5) The Oil Record Book shall be kept in such a place as to be readily available for inspection at all reasonable times and, it shall be kept on board. It shall be preserved for a period of three years after the last entry has been made.
- (6) The flag state Surveyor authorized by the Department of Marine Administration may inspect shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

PART III

REQUIREMENT FOR MACHINERY SPACES OF ALL SHIPS

14. Construction

Tanks for oil residues (sludge)

Every ship of 400 gross tonnage and above shall be provided with a tank or tanks of adequate capacity, having regard to the type of machinery and length of voyage, to receive the oil residues (sludge).

15. Oil Fuel Tank Protection

This regulation shall apply to all ships with an aggregate oil fuel capacity of 600 m³ and above which are delivered on or after 1 January 2020.

16. Oil Filtering Equipment

- (1) Myanmar tanker of 500 GT and above and Myanmar cargo ships of 1000 GT and above shall be fitted oil filtering equipment which comply with the provision of paragraph 3.
 - (2) Myanmar tanker of 1000 GT and above and Myanmar cargo ships of 3000 GT and above shall be fitted oil filtering equipment which comply with the provision of paragraph 4.
 - (3) Oil filtering equipment referred to paragraph 1 of this regulation shall be of a design approved by the Administration and shall be such as will ensure that any oily mixture discharged into the sea after passing through the system has an oil content not exceeding 15 ppm.
 - (4) Oil filtering equipment referred to paragraph 1 of this regulation shall comply with paragraph 6 of this regulation. In addition, it shall be provided with alarm arrangements to indicate when this level cannot be maintained. The system shall also be provided with arrangements to ensure that any discharge of oil mixtures is automatically stopped when the oil content of the effluent exceeds 15 ppm.
- 17.** The Director General may waive the requirements in regulation 16 if a ship is engaged exclusively on voyages within Myanmar waters and special areas and-
- (a) it is fitted with a holding tank having a volume adequate for the retention on board of all oily bilge water;
 - (b) all oily bilge water is retained on board for subsequent discharge to reception facilities;
 - (c) adequate reception facilities are available to receive such oily bilge water in a sufficient number of ports or terminals that the ship calls at;
 - (d) the IOPP Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on voyages within special areas; and
 - (e) the relevant entries are recorded in the Oil Record Book.

Part IV Requirement for tanker

18. Double hull and Double bottom Requirement

- (1) Any oil tanker of 1000 deadweight and above constructed in Myanmar or delivered from abroad after 1 January 2020 shall comply with the requirement of double hull and double bottom.

- (2) Existing Crude Oil tanker engaged in Myanmar waters shall be complied with the requirement of this regulation not later than 1 January 2025.
- (3) Existing Oil tanker of 1000 Deadweight and above shall be complied with the requirement of this regulation not later than 1 January 2025.

PART V

REQUIREMENTS FOR CONTROL OF DISCHARGE OF OIL

19. Requirement for Cargo Area of Oil Tanker

This regulation shall apply to Myanmar Tanker of 600 Tonnes Deck Weight and above build in Myanmar or delivered from aboard on or after 1 January 2020.

20. Bilges From Machinery space

- (1) A ship to which this regulation applies shall not discharge oil or oily mixture into any part of the sea unless all the following conditions are satisfied-
 - (a) the ship is proceeding on a voyage;
 - (b) the ship is not within a special area;
 - (c) the oil content of the effluent does not exceed 15ppm; and
 - (d) the ship has in operation the filtering equipment, which meet the standard of 19and approved by the Administration.
- (2) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purpose of circumventing the conditions of discharge prescribed by this regulation.
- (3) Insofar as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea in compliance with paragraphs (1) (c) it shall be retained on board and discharged into reception facilities.

21. Oil Tankers

- (1) An oil tanker to which this regulation applies shall not discharge any oil or oily mixture (except those for which provision is made in regulation 20 into any part of the sea unless all the following conditions are satisfied-
 - (a) the tanker is proceeding on a voyage;
 - (b) the tanker is not within a special area;
 - (c) the tanker is more than 50 miles from the nearest land;
 - (d) the instantaneous rate of discharge of oil content does not exceed 30 litres per mile;
 - (e) the total quantity of oil discharged into the sea does not exceed 1130,000 of the total quantity of the particular cargo of which the residue formed a part, or, in the case of existing tankers, the total quantity of oil discharged does not exceed

1/ 15,000 of the total quantity of the particular cargo of which the residue formed a part; and

- (f) the tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulation 23.
- (2) The provisions of paragraph (1) shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixture which without dilution has an oil content not exceeding 15 ppm and which does not originate from cargo pump room bilges and is not mixed with oil cargo residues.
- (3) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purposes of circumventing the conditions of discharge prescribed by this regulation.
- (4) In so far as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea, as shall be retained on board and shall be discharged into reception facilities.

22. Oil filtering equipment and oil discharge monitoring and control system

- (1) Machinery space of Myanmar tanker of 500 GT and above and Myanmar cargo ships of 1000 GT and above shall be fitted oil filtering equipment which comply with the 15 ppm requirement.
- (2) Every Myanmar tanker of 1000 GT and above engaged on Myanmar waters shall be fitted with oil filtering equipment with meet the 15 ppm requirement for the discharge of oily water from cargo tank and segregated ballast tank and slop tank.
- (3) The Director General may waive the requirements in paragraphs (1) and (2) if a ship is engaged exclusively on voyages within special areas and-
 - (a) it is fitted with a holding tank having a volume adequate for the retention on board of all oily bilge water;
 - (b) all oily bilge water is retained on board for subsequent discharge to reception facilities;
 - (c) adequate reception facilities are available to receive such oily bilge water in a sufficient number of ports or terminals that the ship calls at;
 - (d) the IOPP Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on voyages within special areas; and
 - (e) the relevant entries are recorded in the Oil Record Book.
- (4) Every ship which is of less than 400 GT shall, so far as reasonably practicable be constructed to ensure that oil or oily mixtures are retained on board and discharged to reception facilities or, if oil or oily mixtures are to be discharged into the sea, are so discharged in accordance with the requirements of paragraph (1) and (2).
- (5) Oil filtering equipment shall be of an approved design in accordance with the

specification for such equipment set out in the Recommendations on Myanmar National Standard of Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters.

- (6) Oil content measuring equipment and alarm device shall be of an approved design in accordance with the specification for such equipment set out in the Recommendations on Myanmar National Standard of Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters, and the arrangements for automatically stopping any discharge shall be of an approved design.

23. Retention of oil on board

- (1) The discharge of oily mixture from cargo tank, ballast tank and slop tank of Myanmar tanker engaged in Myanmar water shall be complied the following requirements;-

- (2) In respect of oil tankers of 500 GT and above-

- (a) adequate means shall be provided for cleaning the cargo tanks and transferring the dirty ballast residues and tank washings from the cargo tanks into a slop tank. In existing oil tankers, any cargo tank may be designated as a slop tank.
- (b) arrangements shall be provided to transfer the oil waste into a slop tank or combination of slop tanks in such a way that any effluent discharges into the sea will be such as to comply with regulation 21.
- (c) the slop tank or combination of slop tanks provided shall have sufficient capacity to retain the slops generated by tank washings, oil residues and dirty ballast residues; and that capacity shall be not less than 3 per cent of the cargo oil carrying capacity of the ship unless-
 - (i) segregated ballast tanks or dedicated clean ballast tanks are provided in accordance with regulation 25, or a cargo tank cleaning system using crude oil washing, in accordance with regulation 24. In that event the total capacity of the slop tank or tanks may be reduced to 2 per cent of the oil carrying capacity of the ship;
 - (ii) in the case of combination carriers, the oil cargo is carried in tanks ; with smooth walls, where the said total capacity may be reduced to 1 per cent of the oil carrying capacity of the ship,

Provided that, where the tank washing arrangements are such that, once the slop tank or tanks are charged with washing water, this water is sufficient for the tank washing and, where applicable, for providing the driving fluid for the pumps (including educators) without the introduction of additional water into the system, the above figures of 3 per cent, 2 per cent and 1 per cent may be reduced to 2 per cent, 1.5per cent and 0.8 per cent respectively:

- (d) slop tanks shall be so designed, particularly as regards the position of inlets, outlets, baffles or weirs (where fitted), as to avoid excessive turbulence and entrainment of oil or emulsion with water;

- (3) In respect of oil tankers of 1000 GT and above
- (a) an oil discharge monitoring and control system of an approved design shall be fitted. It shall be designed and installed in accordance with the Guidelines and Specification for Oil Discharge and Control Systems for Oil Tankers;
 - (b) on any failure of the system the discharge shall be stopped and the failure noted in the Oil Record Book. A manually operated alternative system shall be provided and may be used in the event of such a failure, but the defective unit shall be made operable as soon as possible. If a tanker with a defective unit is within Myanmar or the territorial waters thereof, the Minister may allow the tanker to undertake one ballast voyage before proceeding to a port;
 - (c) effective oil water interface detectors, of a design approved in accordance with the Specifications for Oil/Water Interface Detectors, shall be provided 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 effluent directly to the sea;
 - (d) approved instruction manuals on the operation and maintenance of the various components comprising the oil discharge monitoring and control system shall be provided. These manuals 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 regulation 21.
- (4) Oil tankers of less than 150 GT pursuant to regulation 21 shall retain oil and all contaminated washings on board for subsequent discharge to reception facilities. The total quantity of oil and water used for washing and returned to a storage or slop tank shall be recorded in the Oil Record Book. This total quantity shall be discharged to reception facilities unless adequate arrangements are made to ensure that any effluent which is discharged into the sea is effectively monitored to ensure that the provisions of regulation 21 are complied with.
- (5) The requirements of-
- (a) paragraphs (2) and (3) shall not apply to any oil tanker which is engaged exclusively on voyages of 72 hours or less in duration and within 50 miles of the nearest land, provided that-
 - (i) the oil tanker is engaged exclusively in trade between ports or terminals within Myanmar;
 - (ii) the oil tanker retains on board all oily mixtures for subsequent discharge to reception facilities;
 - (iii) the Director General has determined that adequate facilities are available to receive such oily mixtures; and
 - (b) paragraph (3) shall not apply to any oil tanker -
 - (i) the tanker is an existing oil tanker of 150 deadweight tons or above.

- (ii) the tanker is engaged exclusively on voyages in regular sailing than not more than 72 hours
 - (A) between in regular voyage of 2 ports.
 - (B) within 50 miles from the nearest land outside special areas and-trading between ports and terminals within Myanmar ; or on restricted voyages of 72 hours or less in duration;
- (iii) tankers to which subparagraph (b) (ii) applies shall comply with the following requirements-
 - (A) all oily mixtures are retained on board for subsequent discharge to reception facilities;
 - (B) for voyages specified in subparagraph (b) (ii)(B) adequate reception facilities are available to receive such oily mixtures in those oil loading ports or terminals the tanker calls at;
 - (C) the IOPP Certificate is endorsed to the effect that the ship is exclusively engaged in one or more of the categories of voyages specified in subparagraphs (b)(ii)(A) and (b)(ii)(B); and
 - (D) the relevant entries are recorded in the Oil Record Book.

PART VI

REQUIREMENTS FOR THE SEGREGATION OF CARGO

24. Interpretation

- (1) Notwithstanding the provisions of regulation 2, for the purposes of this Part a "new oil tanker" means an oil tanker-
 - (a) for which the building contract was placed after 31 December 2019.
 - (b) in the absence of a building contract, the keel of which was laid, or which was at a similar stage of construction after 31 December 2020; or
 - (c) the delivery of oil tanker built in Myanmar which was after 31 December 2021.
 - (d) the delivery of tanker imported on aboard which was after 31 December 2019.
 - (e) which has undergone a major conversion-
 - (i) for which the contract was placed after 31 December 2019; or
 - (iii) in the absence of a contract, the construction work of which was begun after 31 December 2020; or
 - (iii) which was completed after 1 January 2021,
- (2) An "existing oil tanker" means an oil tanker which is not a new oil tanker as defined in paragraph (1).

25. General application

(1) New tankers of 500 tons deadweight and above)

Every new crude oil tanker of 500 tons deadweight and above and every new product carrier of 1000 tons deadweight and above shall be provided with segregated ballast tanks.

(2) Existing crude oil tankers of 10000 tons deadweight and above

Every existing crude oil tanker of 10,000 tons deadweight and above shall be provided with segregated ballast tanks.

(3) Existing product carriers of 150 tons deadweight and above

Every existing product carrier of 150 tons deadweight and above shall be provided with segregated ballast tanks.

26. Requirements for cited oil washing

(1) Every crude oil tanker of 5000 tons deadweight and above shall be provided with crude oil tanker washing system .

(2) The crude oil washing installation and associated equipment and arrangements (including qualification of personnel) shall comply with the requirements and specifications set out in Specifications for the Design, Operation and Control of Crude Oil Washing Systems.

(3) Every oil tanker operating with a crude oil washing system shall be provided with an Operations and Equipment Manual describing the system and equipment in detail and specifying the operational procedures.

27. Tanks for oil residue (sludge)

(1) Every new tanker of 150 GT and above new cargo ship of 400 GT and above shall be provided with a tank or tanks of adequate capacity having regard to the type of machinery installed and length of voyage, to receive any oily residues (sludge).

(2) In new ships, such tanks shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities. Existing ships shall comply with this requirement so far as it is reasonable and practicable to do so.

(3) Every ship to which this regulation applies shall be provided with piping to enable residues from machinery spaces and machinery space bilges to be pumped to a reception facility. This piping shall be led to the open deck and there fitted with the discretion by the Department of Marine Administration.

(4) Piping to and from sludge tanks shall have no direct connection overboard other than the discharge connection required by paragraph (3).

28. Pumping, piping and discharge arrangements of oil tankers

In every oil tanker of 1000 Deadweight and above, a discharge manifold for the

discharge of dirty ballast water or oil contaminated water to reception facilities shall be located on the open deck on both sides of the ship.

PART VII

PREVENTION OF POLLUTION ARISING FROM AN OIL POLLUTION INCIDENT

29. Shipboard oil pollution emergency plan

- (1) Every oil tanker of 150 GT and above and every ship (not being an oil tanker) of 400 GT and above shall carry on board an approved shipboard oil pollution emergency plan.
- (2) The plan shall be in accordance with the guidelines for the development of shipboard oil pollution emergency plans adopted by the Department of Marine Administration that plan shall included -
 - (i) the procedure to be followed by the master or other persons having charge of the ship to report an oil pollution incident as required in Article 8 and Protocol I of the Convention;
 - (ii) the list of persons (including national and local authorities) to be contacted in the event of an oil pollution incident;
 - (iii) a detailed description of the action to be taken immediately by persons on board to reduce or control the discharge of oil following an incident; and
 - (iv) the procedures and point of contact on the ship for co-coordinating shipboard action with national and local authorities in combating the pollution.
- (3) In the case of ships to which regulation 16 of Annex II to the Convention also applies, such a plan may be combined with the shipboard marine pollution emergency plan for noxious liquid substances.

Annex I
National Oil Pollution Prevention Certificate



Certificate No.....

NATIONAL OIL POLLUTION PREVENTION CERTIFICATE

Issued under the provisions of the
MYANMAR MERCHANT SHIPPING ACT, as amended of 2007,
compiled with the International Convention for the PREVENTION OF POLLUTION FROM SHIPS, 1973,
as modified by the Protocol of 1978

under the authority of the Government of
THE REPUBLIC OF THE UNION OF MYANMAR
by Department of Marine Administration

Name of Ship	Distinctive Number or Letters	Port of Registry	Length(L)	Gross Tonnage

Deadweight of ship (tonnes)*

TYPE OF SHIP:**

Oil tanker

Ship other than an oil tanker with cargo tanks coming under Regulation 2.2 of Annex I of the Convention*

Ship other than any of the above*

THIS IS TO CERTIFY:

1. That the ship has been surveyed in accordance with Regulation 8 of Annex I of the Convention; and
2. That the survey shows that the structure, equipment, systems, fittings, arrangements and materials of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the applicable requirements of Annex I of the Convention.

This certificate is valid until.....
subject to surveys in accordance with Regulation 8 of Annex I of the Convention

Completion date of the survey on which this certificate is based.....

Issued at

.....
Date of issued

.....
Director General
Department of Marine Administration

* For oil tankers
** Delete as appropriate

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

This is to certify that at a survey required by Regulation 6 of Annex I of the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey

Place of survey

Signed:.....

Date

Surveyor to DMA**

(Seal or Stamp)

Annual / Intermediate * survey

Place of survey

Signed:.....

Date

Surveyor to DMA**

(Seal or Stamp)

Annual / Intermediate* survey

Place of survey

Signed:.....

Date

Surveyor to DMA**

(Seal or Stamp)



Annual survey

Place of survey

Signed:.....

Date

Surveyor to DMA**

(Seal or Stamp)

* Delete as appropriate

**Department of Marine Administration

ANNUAL/ INTERMEDIATE SURVEY IN ACCORDANCE WITH REGULATION 10.8.3

This is to certify that, at an annual/ intermediate* survey in accordance with regulation 10.8.3 of Annex I of the Convention, the ship was found to comply with the relevant provisions of the Convention

Place of survey

Signed:.....

Date

Signature and seal of Issuing Authority

(Seal or Stamp)

ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR LESS THAN 5 YEARS WHERE REGULATION 10.3 APPLIES

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 10.3 of Annex I of the Convention, be accepted as valid until.....

Place of survey

Signed:.....

Date

Signature and seal of Issuing Authority



(Seal or Stamp)

ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND REGULATION 10.4 APPLIES

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 10.4 of Annex I of the Convention, be accepted as valid until.....

Place of survey

Signed:.....

Date

Signature and seal of Issuing Authority

(Seal or Stamp)

* Delete as appropriate

ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE WHERE REGULATION 10.5 OR 10.6 APPLIES

This Certificate shall, in accordance with regulation 10.5 or 10.6* of Annex I of the Convention, be accepted as valid until

Place of survey Signed:.....

Date Signature and seal of Issuing Authority

(Seal or Stamp)

ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE WHERE REGULATION 10.8 APPLIES

In accordance with regulation 10.8 of Annex I of the Convention, the new anniversary date is.....

Place of survey Signed:.....

Date Signature and seal of Issuing Authority

(Seal or Stamp)



In accordance with regulation 10.8 of Annex I of the Convention, the new anniversary date is.....

Place of survey Signed:.....

Date Signature and seal of Issuing Authority

(Seal or Stamp)

*Delete as appropriate