

Unvalidated References:

Prevention of Pollution of the Sea Act 1979

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 12 February 1981.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 371.

Prevention of Pollution of the Sea Regulation 1980

ARRANGEMENT OF SECTIONS.

1. Marine pollutant.
2. Oil record book.
3. Entries in oil record book.
4. Oil record book to be kept on ship.
5. Certificate of insurance.
6. Application for certificate.
7. Tanker construction certificates, etc.

SCHEDULE 1

SCHEDULE 2 – Marine pollutants.

Prevention of Pollution of the Sea Regulation 1980

Made under the *Prevention of Pollution of the Sea Act 1979*.

Dated 200 .

1. MARINE POLLUTANT.

A marine pollutant is a substance specified in Schedule 2.

2. OIL RECORD BOOK.

An oil record book in respect of–

- (a) a tanker–shall be in Form 1; and
- (b) a ship other than a tanker–shall be in Form 2.

3. ENTRIES IN OIL RECORD BOOK.

Where an operation or event that requires to be recorded in the oil record book is carried out or occurs–

- (a) in relation to a ship that is manned–the master; and
- (b) in relation to a ship that is not manned–the person in charge of the operation or event,

must make or cause to be made appropriate entries in the oil record book of the ship.

Penalty: A fine not exceeding K100.00.

4. OIL RECORD BOOK TO BE KEPT ON SHIP.

(1) Subject to Subsections (2) and (3), the oil record book of a ship must be retained on board the ship until the expiry of two years from the date on which the last entry is made under Section 3.

(2) Where—

- (a) no further entries are to be made in the oil record book of a ship; and
- (b) the principal place of business of the owner of the ship is within the country, the master of the ship may at any time cause the oil record book to be held at that place.

(3) In a case to which Section 3(b) applies, that person must keep the oil record book under his control until the ship is manned.

Penalty: A fine not exceeding K1,000.00.

5. CERTIFICATE OF INSURANCE.

A certificate of insurance referred to in—

- (a) Section 28(1)(a) of the Act—shall be in Form 3; and
- (b) Section 28(1)(b) of the Act—shall be in Form 4.

6. APPLICATION FOR CERTIFICATE.

(1) The owner of a ship to which Section 28(1) of the Act applies may apply to the Minister for a certificate of insurance.

(2) An application under Subsection (1) shall be accompanied by—

- (a) evidence that—
 - (i) irrevocable insurance has been effected; or
 - (ii) irrevocable financial security has been given, in a sum fixed in accordance with Article VII of the Liability Convention; and
- (b) a fee of K20.00.

(3) The security referred to in Subsection (2)(a)(ii) shall consist of—

- (a) a cash deposit; or
- (b) a bond; or
- (c) a bank guarantee; or
- (d) any other security approved by the Minister responsible for financial matters.

7. TANKER CONSTRUCTION CERTIFICATES, ETC.

(1) A tanker construction certificate shall be in Form 5.

(2) A tanker exemption certificate shall be in Form 6.

(3) The fee for the issue of a certificate under Subsection (1) or (2) is K10.00.

SCHEDULE 1

PAPUA NEW GUINEA.

Prevention of Pollution of the Sea Act 1979.

Form 1 – Oil record book–tankers.

Act, Sec. 9. Form 1.Reg., Sec. 2(a).

Name of tanker:

Total cargo carrying capacity of tanker in cubic metres:

1. Loading of oil cargo.
 - (a) Date and place of loading:
 - (b) Types of oil loaded;
 - (c) Identity of tank(s) loaded:
2. Transfer of oil cargo during voyage.
 - (a) Date of transfer:
 - (b) Identity of tank(s)—(i) From: (ii) To
 - (c) Was (were) tank(s) emptied?:
3. Discharge of oil cargo.
 - (a) Date and place of discharge:
 - (b) Identity of tank(s) discharged:
 - (c) Was (were) tank(s) emptied?:
4. Ballasting of cargo tanks.
 - (a) Identity of tank(s) ballasted:
 - (b) Date and position of ship at start of ballasting:
5. Cleaning of cargo tanks.
 - (a) Identity of tank(s) cleaned:
 - (b) Date and duration of cleaning:
 - (c) Methods of cleaning:
6. Discharge of dirty ballast.
 - (a) Identity of tank(s):
 - (b) Date and position of ship at start of discharge to sea:
 - (c) Date and position of ship at finish of discharge to sea:
 - (d) Ship's speed(s) during discharge:
 - (e) Quantity of discharge to sea:
 - (f) Quantity of polluted water transferred to slop tank(s) (identity of slop tank(s)):
 - (g) Date and port of discharge into shore reception facilities (if applicable):
7. Discharge of water from slop tanks.
 - (a) Identity of slop tank(s):
 - (b) Time of settling from last entry of residues or time of settling from last discharge:
 - (c) Date, time and position of ship at start of discharge:
 - (d) Sounding of total contents at start of discharge:
 - (e) Sounding of interface at start of discharge:
 - (f) Bulk quantity discharged and rate of discharge:
 - (g) Final quantity discharged and rate of discharge:
 - (h) Date, time and position of ship at end of discharge:

- (i) Ship's speed(s) during discharge:
 - (j) Sounding of interface at end of discharge:
8. Disposal of residues.
- (a) Identity of tank(s):
 - (b) Quantity disposed from each tank:
 - (c) Method of disposal of residue—
 - (i) Reception facilities:
 - (ii) Mixed with cargo:
 - (iii) Transferred to another (other) tank(s) (identify tank(s)):
 - (iv) Other method:
 - (d) Date and port of disposal of residue:
9. Discharge overboard of bilge water containing oil which has accumulated in machinery spaces (including pump rooms) whilst in port.
- (a) Port:
 - (b) Duration of stay:
 - (c) Quantity disposed:
 - (d) Date and place of disposal:
 - (e) Method of disposal (state whether a separator was used):
10. Accidental or other exceptional discharges of oil.
- (a) Date and time of occurrence:
 - (b) Place or position of ship at time of occurrence:
 - (c) Approximate quantity and type of oil:
 - (d) Circumstances of discharge or escape and general remarks:
(Signature of Officer(s)-in-charge of operation concerned.)

Signature of Master:

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Prevention of Pollution of the Sea Act 1979.

Form 2 – Oil record book–ships other than tankers.

Act, Sec. 9. Form 2.Reg., Sec. 2(b)

Name of ship:

1. Ballasting or cleaning of bunker fuel tanks.
 - (a) Identity of tank(s) ballasted:
 - (b) Whether cleaned since they last contained oil and, if not, type of oil previously carried:
 - (c) Date and position of ship at start of cleaning:
 - (d) Date and position of ship at start of ballasting:
2. Discharge of dirty ballast or cleaning water from tanks referred to under Item 1.
 - (a) Identity of tank(s):
 - (b) Date and position of ship at start of discharge:
 - (c) Date and position of ship at finish of discharge:
 - (d) Ship's speed(s) during discharge:
 - (e) Method of discharge (state whether separator used):
 - (f) Quantity discharged:
3. Disposal of residues.
 - (a) Quantity of residue retained on board:
 - (b) Methods of disposal of residue—
 - (i) reception facilities:
 - (ii) mixed with next bunkering:
 - (iii) transferred to another (other) tank(s):
 - (c) Date and port of disposal of residue:
4. Discharge overboard of bilge water containing oil which has accumulated in machinery spaces whilst in port.
 - (a) Port:
 - (b) Duration of stay:
 - (c) Quantity disposed:
 - (d) Date and place of disposal:
 - (e) Method of disposal (state whether separator was used):
5. Accidental or other exceptional discharges of oil.
 - (a) Date and time of occurrence:
 - (b) Place or position of ship at time of occurrence:
 - (c) Approximate quantity and type of oil:
 - (d) Circumstances of discharge or escape and general remarks:
(Signature of Officer(s)-in-charge of operations concerned.)

Signature of Master:

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***Form 3 – Certificate of insurance or other financial security in respect of civil liability
for oil pollution damage.***

Act, Sec. 28(1)(a). Form 3.Reg., Sec. 5(a).

Issued in accordance with the provisions of Article VII of the International Convention on Civil Liability for Oil Pollution Damage, 1969.

Name of ship	Distinctive No. or letters.	Port of registry.	Name and address of owner.
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This is to certify that there is in force in respect of the abovementioned ship insurance or other financial security satisfying the requirements of Article VII of the International Convention on Civil Liability for Oil Pollution Damage, 1969.

Type of security:

Duration of security:

Name and address of insurer(s) and/or guarantor(s):

Name:

Address:

This Certificate is valid until

Issued or certified by the Government of Papua New Guinea at ... on ... 20..

(Authorized Officer.)

PAPUA NEW GUINEA.***Prevention of Pollution of the Sea Act 1979.******Form 4 – Certificate of insurance in respect of civil liability for oil pollution damage.***

Act, Sec. 28(1)(b). Form 4.Reg., Sec. 5(b).

Name of ship	Distinctive No. or letters.	Port of registry.	Name and address of owner.
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This is to certify that there is in force in respect of the abovementioned ship a certificate of insurance satisfying the requirements of Section 25(1) of the *Prevention of Pollution of the Sea Act*.

Limitation of Validity—Territorial Sea of Papua New Guinea only.

Name and address of insurer(s) and/or guarantor(s)—

Name:

Address:

This Certificate is valid until

Issued or certified by the Government of Papua New Guinea at ... on ... 20..

Minister.

PAPUA NEW GUINEA.

Prevention of Pollution of the Sea Act 1979.

Form 5 – Tanker construction certificate.

Act, Sec. 10(1).

Form 5.Reg., Sec. 7(1).

Issued in accordance with the provisions of Article VI of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954.

Name of tanker:	Distinctive No. or letters.	Port of registry.	Name and address of owner.
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This is to certify that the tanker referred to above has been constructed in compliance with the provisions of Annex C to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954.

Issued and certified by the Government of Papua New Guinea at ... on ... 20..

(Authorized Officer.)

PAPUA NEW GUINEA.**Prevention of Pollution of the Sea Act 1979.****Form 6 – Tanker exemption certificate.**

Act, Sec. 10(2).

Form 6.Reg., Sec. 7(2).

Issued in accordance with the provisions of Article VI of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954.

Name of tanker:	Distinctive No. or letters.	Port of registry.	Name and address of owner
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This is to certify that the tanker referred to above is not required to be constructed in accordance with the provisions of Annex C to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954.

Issued and certified by the Government of Papua New Guinea at ... on ... 20..

(*Authorized Officer.*)

SCHEDULE 2 – MARINE POLLUTANTS.

Act, Sec. 1(1).Reg., Sec. 1.

Sch. 2.1. Oil (when carried in bulk).

- “Asphalt solutions
- “Blending stocks
- “Roffers flux
- “Straight run residue
- “Oil
- “Clarified
- “Crude oil
- “Diesel oil
- “Fuel oil
- “Lubricating oil
- “Mixtures containing crude oil
- “Road oil
- “Aromatic oil (excluding vegetable oil)
- “Blending stocks
- “Mineral oil
- “Penetrating oil
- “Spindle oil
- “Turbine oil
- “Distillates
- “Straight run
- “Flashed feed stocks
- “Gas oil
- “Cracked
- “Gasoline blending stocks
- “Alkylates–fuel
- “Reformates
- “Polymer–fuel
- “Gasolines

“Casinghead (natural)
“Automotive
“Aviation
“Straight run
“Jet fuels
“JP-I (Kerosene)
“JP-3
“JP-4
“JP-5 (Kerosene, heavy)
“Turbo fuel
“Mineral spirit
“Naphtha
“Solvent
“Petroleum
“Heartcut distillate oil”

Sch. 2.2. *Noxious Substances.*

“Acetic anhydride
“Acetone
“Acetone cyanohydrin
“Acrolein
“Acrylonitrile
“Aldrin
“Ally isothiocyanate
“Aluminium phosphide
“Ammonia (28% aqueous)
“Ammonium phosphate
“Amyle mercaptan
“Aniline
“Aniline hydrochloride
“Antimony compounds
“Arsenic compounds
“Atrazine

“Azinphos methyl (Guthion)
“Barium azide
“Barium cyanide
“Barium oxide
“Benzene
“Benzenehexachloride isomers (Lindane)
“Benzidine
“Beryllium powder
“Bromine
“Bromobenzyl cyanide
“Butyle acrylate
“Butyric acid
“Cacodylic acid
“Cadmium compounds
“Carbaryl (Sevin)
“Carbon disulphide
“Carbontetrachloride
“Chlorodane
“Chloroacetone
“Chloroacetophenone
“Chlorodinitrobenzene
“Chloroform
“Chlorohydrins (crude)
“Chloropicrin
“Chromic acid (Chromium trioxide)
“Cocculus (solid)
“Copper compounds
“Cresols
“Cupriethylene diamine
“Cyanide compounds
“Cyanogen bromide
“Cyanogen chloride
“DDT
“Dichloroanilines

“Dichlorobenzenes
“Dieldrin
“Dimethoate (Cygon)
“Dimethyl amine (40% aqueous)
“Dinitroanilines
“4.6-Dinitroorthocresol
“Dinitrophenols
“Endosulphan (Thiodan)
“Endrin
“Epichlorohydrin
“Ethyl bromoacetate
“Ethylene chlorohydrin (2-Chloro-ethanol)
“Ethylene dichloride
“Ethyl parathion
“Fentin acetate (dry)
“Fluosilicic acid
“Heptachlor
“Hexachlorobenzene
“Hexaethyl tetraphosphate
“Hydrocyanic acid
“Hydrofluoric acid (40% aqueous)
“Isoprene
“Lead compounds
“Lindane (Gammexane, BHC)
“Malathion
“Mercuric compounds
“Methyl alcohol
“Methylene chloride
“Molasses
“Naphthalene (molten)
“Naphthylthiourea
“Nitric acid (90%)
“Oleum
“Parathion

“Paraquat
“Phenol
“Phosphoric acid
“Phosphorus (elemental)
“Polyhalogenated biphenyls
“Sodium pentachlorophenate (solution)
“Styrene monomer
“Toluene
“Toluene diisocyanate
“Toxaphene
“Tritolyl phosphate (Tricresyl phosphate)
“2,4,5-T”

Sch. 2.3. *Liquefied Gases (When carried in bulk)..*

“Acetaldehyde
“Anhydrous ammonia
“Butadiene
“Butane
“Butane/Propane mixtures
“Butylenes
“Chlorine
“Dimethylamine
“Ethyl chloride
“Ethane
“Ethylene
“Ethylene oxide
“Methane (LNG)
“Methanol acetylene propadiene mixture
“Methyl bromide
“Methyl chloride
“Propane
“Propylene
“Vinyl chloride monomer

“Anhydrous hydrogen chloride

“Anhydrous hydrogen fluoride

“Sulphur dioxide”

4. Radioactive Substances. Radioactive substances, including, but not limited to, elements and compounds the isotopes of which are subject to the requirements of Section 835 of the Regulations for the Safe Transport of Radioactive Materials, 1973 Revised Edition, published by the International Atomic Energy Agency, and which may be found to be stored or transported as substances and/or materials in Type A packages, Type B Packages, as fissile materials or materials transported under special arrangements, such as

60	137	226	239	235
Co	Cs	Ra	Pu	U

Prevention of Pollution of the Sea Regulation 1980