

No. 25986

MULTILATERAL

Convention on the Protection of the Marine Environment of the Baltic Sea Area (with annexes and appendices). Concluded at Helsinki on 22 March 1974

Amendments to paragraph B of Regulation 4 of annex IV of the above-mentioned Convention

Amendments to Regulation 5 of annex IV of the above-mentioned Convention of 22 March 1974

Amendments to annex I of the above-mentioned Convention of 22 March 1974

Amendments to Regulation 5 of annex IV of the above-mentioned Convention of 22 March 1974

Amendments to annex IV of the above-mentioned Convention of 22 March 1974

Amendments to annexes IV and VI of the above-mentioned Convention of 22 March 1974

Authentic text: English.

The Convention and certified statements were registered by Finland on 22 June 1988.

CONVENTION¹ ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE BALTIC SEA AREA

The States Parties to this Convention,

Conscious of the indispensable economic, social and cultural values of the marine environment of the Baltic Sea Area and its living resources for the peoples of the Contracting Parties;

Bearing in mind the exceptional hydrographic and ecological characteristics of the Baltic Sea Area and the sensitivity of its living resources to changes in the environment;

Noting the rapid development of human activities at the Baltic Sea Area, the considerable population living within its catchment area and the highly urbanized and industrialized state of the Contracting Parties as well as their intensive agriculture and forestry;

Noting with deep concern the increasing pollution of the Baltic Sea Area, originating from many sources such as discharges through rivers, estuaries, outfalls and pipelines, dumping and normal operations of vessels as well as through airborne pollutants;

Conscious of the responsibility of the Contracting Parties to protect and enhance the values of the marine environment of the Baltic Sea Area for the benefit of their peoples;

Recognizing that the protection and enhancement of the marine environment of the Baltic Sea Area are tasks that cannot effectively be accomplished by national efforts only but that also close regional co-operation and other appropriate international measures aiming at fulfilling these tasks are urgently needed;

Noting that the relevant recent international conventions even after having entered into force for the respective Contracting Parties do not cover all special requirements to protect and enhance the marine environment of the Baltic Sea Area;

Noting the importance of scientific and technological co-operation in the protection and enhancement of the marine environment of the Baltic Sea Area, particularly between the Contracting Parties;

Desiring to develop further regional co-operation in the Baltic Sea Area, the possibilities and requirements of which were confirmed by the signing of the Con-

¹ Came into force on 3 May 1980, i.e., two months after the deposit of the seventh instrument of ratification or approval with the Government of Finland, in accordance with article 27, except for annex IV which, pursuant to reservations made to that effect by Denmark and the Federal Republic of Germany, only came into force for those States on 3 May 1981:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Denmark	20 July 1977
Finland	27 June 1975
German Democratic Republic	6 January 1977
Germany, Federal Republic of	3 March 1980
Poland	19 November 1979
Sweden	30 July 1976
Union of Soviet Socialist Republics	2 November 1978

vention on Fishing and Conservation of the Living Resources in the Baltic Sea and the Belts, Gdansk 1973;¹

Conscious of the importance of regional intergovernmental co-operation in the protection of the marine environment of the Baltic Sea Area as an integral part of the peaceful co-operation and mutual understanding between all European States;

Have agreed as follows:

Article 1. CONVENTION AREA

For the purposes of the present Convention “the Baltic Sea Area” shall be the Baltic Sea proper with the Gulf of Bothnia, the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57° 44' 8" N. It does not include internal waters of the Contracting Parties.

Article 2. DEFINITIONS

For the purposes of the present Convention:

1. “Pollution” means introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, resulting in such deleterious effects as hazard to human health, harm to living resources and marine life, hindrance to legitimate uses of the sea including fishing, impairment of the quality for use of sea water, and reduction of amenities;

2. “Land-based pollution” means pollution of the sea caused by discharges from land reaching the sea waterborne, airborne or directly from the coast, including outfalls from pipelines;

3. *a)* “Dumping” means:

- (i) Any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;
- (ii) Any deliberate disposal at sea of vessels, aircraft, platforms or other man-made structures at sea;

b) “Dumping” does not include:

- (i) The disposal at sea of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;
- (ii) Placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of the present Convention;

4. “Vessels and aircraft” means waterborne or airborne craft of any type whatsoever. This expression includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft whether self-propelled or not, and fixed or floating platforms;

5. “Oil” means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products;

¹ United Nations, *Treaty Series*, vol. 1090, p. 54.

6. "Harmful substance" means any hazardous, noxious, or other substance, which, if introduced into the sea, is liable to cause pollution;

7. "Incident" means an event involving the actual or probable discharge into the sea of a harmful substance, or effluents containing such a substance.

Article 3. FUNDAMENTAL PRINCIPLES AND OBLIGATIONS

1. The Contracting Parties shall individually or jointly take all appropriate legislative, administrative or other relevant measures in order to prevent and abate pollution and to protect and enhance the marine environment of the Baltic Sea Area.

2. The Contracting Parties shall use their best endeavours to ensure that the implementation of the present Convention shall not cause an increase in the pollution of sea areas outside the Baltic Sea Area.

Article 4. APPLICATION

1. The present Convention shall apply to the protection of the marine environment of the Baltic Sea Area which comprises the water-body and the sea-bed including their living resources and other forms of marine life.

2. Without prejudice to the sovereign rights in regard to their territorial sea, each Contracting Party shall implement the provisions of the present Convention within its territorial sea through its national authorities.

3. While the provisions of the present Convention do not apply to internal waters, which are under the sovereignty of each Contracting Party, the Contracting Parties undertake, without prejudice to their sovereign rights, to ensure that the purposes of the present Convention will be obtained in these waters.

4. The present Convention shall not apply to any warship, naval auxiliary, military aircraft or other ship and aircraft owned or operated by a State and used, for the time being, only on government non-commercial service.

However, each Contracting Party shall ensure, by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships and aircraft owned or operated by it, that such ships and aircraft act in a manner consistent, so far as is reasonable and practicable, with the present Convention.

Article 5. HAZARDOUS SUBSTANCES

The Contracting Parties undertake to counteract the introduction, whether airborne, waterborne or otherwise, into the Baltic Sea Area of hazardous substances as specified in Annex I of the present Convention.

Article 6. PRINCIPLES AND OBLIGATIONS CONCERNING LAND-BASED POLLUTION

1. The Contracting Parties shall take all appropriate measures to control and minimize land-based pollution of the marine environment of the Baltic Sea Area.

2. In particular, the Contracting Parties shall take all appropriate measures to control and strictly limit pollution by noxious substances and materials in accordance with Annex II of the present Convention. To this end they shall, *inter alia*, as appropriate co-operate in the development and adoption of specific programmes, guidelines, standards or regulations concerning discharges, environmental quality, and products containing such substances and materials and their use.

3. The substances and materials listed in Annex II of the present Convention shall not be introduced into the marine environment of the Baltic Sea Area in significant quantities without a prior special permit, which may be periodically reviewed, by the appropriate national authority.

4. The appropriate national authority will inform the Commission referred to in Article 12 of the present Convention of the quantity, quality and way of discharge if it considers that significant quantities of substances and materials listed in Annex II of the present Convention were discharged.

5. The Contracting Parties shall endeavour to establish and adopt common criteria for issuing permits for discharges.

6. To control and minimize pollution of the Baltic Sea Area by harmful substances the Contracting Parties shall, in addition to the provisions of Article 5 of the present Convention, aim at attaining the goals and applying the criteria enumerated in Annex III of the present Convention.

7. If the discharge from a watercourse, flowing through the territories of two or more Contracting Parties or forming a boundary between them, is liable to cause pollution of the marine environment of the Baltic Sea Area, the Contracting Parties concerned shall in common take appropriate measures in order to prevent and abate such pollution.

8. The Contracting Parties shall endeavour to use best practicable means in order to minimize the airborne pollution of the Baltic Sea Area by noxious substances.

Article 7. PREVENTION OF POLLUTION FROM SHIPS

1. In order to protect the Baltic Sea Area from pollution by deliberate, negligent or accidental release of oil, harmful substances other than oil, and by the discharge of sewage and garbage from ships, the Contracting Parties shall take measures as set out in Annex IV of the present Convention.

2. The Contracting Parties shall develop and apply uniform requirements for the capacity and location of facilities for the reception of residues of oil, harmful substances other than oil, including sewage and garbage, taking into account *inter alia* the special needs of passenger ships and combination carriers.

Article 8. PLEASURE CRAFT

The Contracting Parties shall, in addition to implementing those provisions of the present Convention which can appropriately be applied to pleasure craft, take special measures in order to abate harmful effects on the marine environment of the Baltic Sea Area of pleasure craft activities. The measures shall *inter alia* deal with adequate reception facilities for wastes from pleasure craft.

Article 9. PREVENTION OF DUMPING

1. The Contracting Parties shall, subject to Paragraphs 2 and 4 of this Article, prohibit dumping in the Baltic Sea Area.

2. Dumping of dredged spoils shall be subject to a prior special permit by the appropriate national authority in accordance with the provisions of Annex V of the present Convention.

3. Each Contracting Party undertakes to ensure compliance with the provisions of this Article by vessels and aircraft:

- a) Registered in its territory or flying its flag;
 - b) Loading, within its territory or territorial sea, matter which is to be dumped;
- or
- c) Believed to be engaged in dumping within its territorial sea.

4. The provisions of this Article shall not apply when the safety of human life or of a vessel or aircraft at sea is threatened by the complete destruction or total loss of the vessel or aircraft, or in any case which constitutes a danger to human life, if dumping appears to be the only way of averting the threat and if there is every probability that the damage consequent upon such dumping will be less than would otherwise occur. Such dumping shall be so conducted as to minimize the likelihood of damage to human or marine life.

5. Dumping made under the provisions of Paragraph 4 of this Article shall be reported and dealt with in accordance with Annex VI of the present Convention and shall also be reported forthwith to the Commission referred to in Article 12 of the present Convention in accordance with the provisions of Regulation 4 of Annex V of the present Convention.

6. In case of dumping suspected to be in contravention of the provisions of this Article the Contracting Parties shall co-operate in investigating the matter in accordance with Regulation 2 of Annex IV of the present Convention.

Article 10. EXPLORATION AND EXPLOITATION OF THE SEA-BED AND ITS SUBSOIL

Each Contracting Party shall take all appropriate measures in order to prevent pollution of the marine environment of the Baltic Sea Area resulting from exploration or exploitation of its part of the sea-bed and its subsoil or from any associated activities thereon. It shall also ensure that adequate equipment is at hand to start an immediate abatement of pollution in that area.

Article 11. CO-OPERATION IN COMBATting MARINE POLLUTION

The Contracting Parties shall take measures and co-operate as set out in Annex VI of the present Convention in order to eliminate or minimize pollution of the Baltic Sea Area by oil or other harmful substances.

Article 12. INSTITUTIONAL AND ORGANIZATIONAL FRAMEWORK

1. The Baltic Marine Environment Protection Commission, hereinafter referred to as "the Commission", is hereby established for the purposes of the present Convention.

2. The chairmanship of the Commission shall be given to each Contracting Party in turn in alphabetical order of the names of the States in the English language.

The Chairman shall serve for a period of two years, and cannot during the period of his chairmanship serve as representative of his country.

Should the chairmanship fall vacant, the Contracting Party chairing the Commission shall nominate a successor to remain in office until the term of chairmanship of that Contracting Party expires.

3. Meetings of the Commission shall be held at least once a year upon convocation by the Chairman. Upon the request of a Contracting Party, provided it is endorsed by another Contracting Party, the Chairman shall, as soon as possible, summon an extraordinary meeting at such time and place as the Chairman determines, however, not later than ninety days from the date of the submission of the request.

4. The first meeting of the Commission shall be called by the Depositary Government and shall take place within a period of ninety days from the date following the entry into force of the present Convention.

5. Each Contracting Party shall have one vote in the Commission. Unless otherwise provided under the present Convention, the Commission shall take its decisions unanimously.

Article 13. THE DUTIES OF THE COMMISSION

The duties of the Commission shall be:

a) To keep the implementation of the present Convention under continuous observation;

b) To make recommendations on measures relating to the purposes of the present Convention;

c) To keep under review the contents of the present Convention including its Annexes and to recommend to the Contracting Parties such amendments to the present Convention including its Annexes as may be required including changes in the lists of substances and materials as well as the adoption of new Annexes;

d) To define pollution control criteria, objectives for the reduction of pollution, and objectives concerning measures, particularly according to Annex III of the present Convention;

e) To promote in close co-operation with appropriate governmental bodies, taking into consideration Sub-Paragraph f) of this Article, additional measures to protect the marine environment of the Baltic Sea Area and for this purpose:

(i) To receive, process, summarize and disseminate from available sources relevant scientific, technological and statistical information; and

(ii) To promote scientific and technological research;

f) To seek, when appropriate, the services of competent regional and other international organizations to collaborate in scientific and technological research as well as other relevant activities pertinent to the objectives of the present Convention;

g) To assume such other functions as may be appropriate under the terms of the present Convention.

Article 14. ADMINISTRATIVE PROVISIONS FOR THE COMMISSION

1. The working language of the Commission shall be English.

2. The Commission shall adopt its Rules of Procedure.

3. The office of the Commission, hereafter referred to as the "Secretariat", shall be in Helsinki.

4. The Commission shall appoint an Executive Secretary and make provisions for the appointment of such other personnel as may be necessary, and determine the duties, terms and conditions of the Executive Secretary.

5. The Executive Secretary shall be the chief administrative official of the Commission and shall perform the functions that are necessary for the administration of the present Convention, the work of the Commission and other tasks entrusted to the Executive Secretary by the Commission and its Rules of Procedure.

Article 15. FINANCIAL PROVISIONS FOR THE COMMISSION

1. The Commission shall adopt its Financial Rules.

2. The Commission shall adopt an annual or biennial budget of proposed expenditures and budget estimates for the fiscal period following thereafter.

3. The total amount of the budget, including any supplementary budget adopted by the Commission, shall be contributed by the Contracting Parties in equal parts, unless the Commission unanimously decides otherwise.

4. Each Contracting Party shall pay the expenses related to the participation in the Commission of its representatives, experts and advisers.

Article 16. SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION

1. The Contracting Parties undertake directly, or when appropriate through competent regional or other international organizations, to co-operate in the fields of science, technology and other research, and to exchange data as well as other scientific information for the purposes of the present Convention.

2. Without prejudice to Paragraphs 1, 2 and 3 of Article 4 of the present Convention the Contracting Parties undertake directly, or when appropriate through competent regional or other international organizations, to promote studies, undertake, support or contribute to programmes aimed at developing ways and means for the assessment of the nature and extent of pollution, pathways, exposures, risks and remedies in the Baltic Sea Area, and particularly to develop alternative methods of treatment, disposal and elimination of such matter and substances that are likely to cause pollution of the marine environment of the Baltic Sea Area.

3. The Contracting Parties undertake directly, or when appropriate through competent regional or other international organizations, and, on the basis of the information and data acquired pursuant to Paragraphs 1 and 2 of this Article, to co-operate in developing intercomparable observation methods, in performing baseline studies and in establishing complementary or joint programmes for monitoring.

4. The organization and scope of work connected with the implementation of tasks referred to in the preceding Paragraphs should primarily be outlined by the Commission.

Article 17. RESPONSIBILITY FOR DAMAGE

The Contracting Parties undertake, as soon as possible, jointly to develop and accept rules concerning responsibility for damage resulting from acts or omissions in contravention of the present Convention, including, *inter alia*, limits of responsibility, criteria and procedures for the determination of liability and available remedies.

Article 18. SETTLEMENT OF DISPUTES

1. In case of a dispute between Contracting Parties as to the interpretation or application of the present Convention, they should seek a solution by negotiation. If the Parties concerned cannot reach agreement they should seek the good offices of or jointly request the mediation by a third Contracting Party, a qualified international organization or a qualified person.

2. If the Parties concerned have not been able to resolve their dispute through negotiation or have been unable to agree on measures as described above, such disputes shall be, upon common agreement, submitted to an *ad-hoc* arbitration tribunal, to a permanent arbitration tribunal, or to the International Court of Justice.

Article 19. SAFEGUARD OF CERTAIN FREEDOMS

Nothing in the present Convention shall be construed as infringing upon the freedom of navigation, fishing, marine scientific research and other legitimate uses of the high seas, as well as upon the right of innocent passage through the territorial sea.

Article 20. STATUS OF ANNEXES

The Annexes attached to the present Convention form an integral part of the Convention.

Article 21. RELATION TO OTHER CONVENTIONS

The provisions of the present Convention shall be without prejudice to the rights and obligations of the Contracting Parties under treaties concluded previously as well as under treaties which may be concluded in the future, furthering and developing the general principles of the Law of the Sea that the present Convention is based upon and in particular provisions concerning the prevention of pollution of the marine environment.

Article 22. REVISION OF THE CONVENTION

A conference for the purpose of a general revision of the present Convention may be convened with the consent of the Contracting Parties or at the request of the Commission.

Article 23. AMENDMENTS TO THE ARTICLES OF THE CONVENTION

1. Each Contracting Party may propose amendments to the Articles of the present Convention. Any such proposed amendment shall be submitted to the Depositary Government and communicated by it to all Contracting Parties, which shall inform the Depositary Government of either their acceptance or rejection of the amendment as soon as possible after the receipt of the communication.

The amendment shall enter into force ninety days after the Depositary Government has received notifications of acceptance of that amendment from all Contracting Parties.

2. With the consent of the Contracting Parties or at the request of the Commission a conference may be convened for the purpose of amending the present Convention.

Article 24. AMENDMENTS TO THE ANNEXES AND THE ADOPTION OF ANNEXES

1. Any amendment to the Annexes proposed by a Contracting Party shall be communicated to the other Contracting Parties by the Depositary Government and considered in the Commission. If adopted by the Commission, the amendment shall be communicated to the Contracting Parties and recommended for acceptance.

2. Such amendment shall be deemed to have been accepted at the end of a period determined by the Commission unless within that period any one of the Contracting Parties has objected to the amendment. The accepted amendment shall enter into force on a date determined by the Commission.

The period determined by the Commission shall be prolonged for an additional period of six months and the date of entry into force of the amendment postponed accordingly, if in exceptional cases, any Contracting Party before the expiring of the period determined by the Commission informs the Depositary Government, that, although it intends to accept the proposal, the constitutional requirements for such an acceptance are not yet fulfilled in its State.

3. An Annex to the present Convention may be adopted in accordance with the provisions of this Article.

4. The Depositary Government shall inform all Contracting Parties of any amendments or the adoption of a new Annex which enter into force under this Article and of the date on which such amendment or new Annex enters into force.

5. Any objection under this Article shall be made by notification in writing to the Depositary Government which shall notify all Contracting Parties and the Executive Secretary of any such notification and the date of its receipt.

Article 25. RESERVATIONS

1. The provisions of the present Convention shall not be subject to reservations.

2. The provision of Paragraph 1 of this Article does not prevent a Contracting Party from suspending for a period not exceeding one year the application of an Annex of the present Convention or part thereof or an amendment thereto after the Annex in question or the amendment thereto has entered into force.

3. If after the entry into force of the present Convention a Contracting Party invokes the provisions of Paragraph 2 of this Article it shall inform the other Contracting Parties, at the time of the adoption by the Commission of an amendment to an Annex or a new Annex, of those provisions which will be suspended in accordance with Paragraph 2 of this Article.

Article 26. SIGNATURE, RATIFICATION, APPROVAL, AND ACCESSION

1. The present Convention shall be open for signature in Helsinki on 22 March 1974 by the Baltic Sea States participating in the Diplomatic Conference on the Protection of the Marine Environment of the Baltic Sea Area, held in Helsinki from 18 to 22 March 1974. The present Convention shall be open for accession to any other State interested in fulfilling the aims and purposes of the present Convention, provided that this State is invited by all the Contracting Parties.

2. The present Convention shall be subject to ratification or approval by the States which have signed it.

3. The instruments of ratification, approval, or accession shall be deposited with the Government of Finland, which will perform the duties of the Depositary Government.

Article 27. ENTRY INTO FORCE

The present Convention shall enter into force two months after the deposit of the seventh instrument of ratification or approval.

Article 28. WITHDRAWAL

1. At any time after the expiry of five years from the date of entry into force of the present Convention any Contracting Party may, by giving written notification to the Depositary Government, withdraw from the present Convention. The withdrawal shall take effect for such Contracting Party on the thirty-first day of December of the year which follows the year in which the Depositary Government was notified of the withdrawal.

2. In case of notification of withdrawal by a Contracting Party the Depositary Government shall convene a meeting of the Contracting Parties for the purpose of considering the effect of the withdrawal.

Article 29. LANGUAGE

The present Convention has been drawn up in a single copy in the English language. Official translations into the Danish, Finnish, German, Polish, Russian, and Swedish languages shall be prepared and deposited with the signed original.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorised thereto, have signed the present Convention.

DONE at Helsinki, this twenty-second day of March one thousand nine hundred and seventy-four.

For Denmark:

HOLGER HANSEN

For Finland:

JERMU LAINE

For the German Democratic Republic:

HANS REICHELT

For the Federal Republic of Germany:

HANS-GEORG SACHS

For the Polish People's Republic:

JERZY KUSIAK

For Sweden:

SVANTE LUNDKVIST

For the Union of Soviet Socialist Republics:

E. E. ALEXEEVSKY

ANNEX I

HAZARDOUS SUBSTANCES

The protection of the Baltic Sea Area from pollution by the substances listed below can involve the use of appropriate technical means, prohibitions and regulations of the transport, trade, handling, application, and final deposition of products containing such substances.

1. DDT (1,1,1-trichloro-2,2-bis-(chlorophenyl)-ethane) and its derivatives DDE and DDD.
2. PCB's (polychlorinated biphenyls).

ANNEX II

NOXIOUS SUBSTANCES AND MATERIALS

The following substances and materials are listed for the purposes of Article 6 of the present Convention.

The list is valid for substances and materials introduced as waterborne into the marine environment. The Contracting Parties shall also endeavour to use best practicable means to prevent harmful substances and materials from being introduced as airborne into the Baltic Sea Area.

A. *For urgent consideration*

1. Mercury, cadmium, and their compounds.
- B. 2. Antimony, arsenic, beryllium, chromium, copper, lead, molybdenum, nickel, selenium, tin, vanadium, zinc, and their compounds, as well as elemental phosphorus.
3. Phenols and their derivatives.
4. Phthalic acid and its derivatives.
5. Cyanides.
6. Persistent halogenated hydrocarbons.
7. Polycyclic aromatic hydrocarbons and their derivatives.
8. Persistent toxic organosilicic compounds.
9. Persistent pesticides, including organophosphoric and organostannic pesticides, herbicides, slimicides and chemicals used for the preservation of wood, timber, wood pulp, cellulose, paper, hides and textiles, not covered by the provisions of Annex I of the present Convention.
10. Radioactive materials.
11. Acids, alkalis and surface active agents in high concentrations or big quantities.
12. Oil and wastes of petrochemical and other industries containing lipid-soluble substances.
13. Substances having adverse effects on the taste and/or smell of products for human consumption from the sea, or effects on taste, smell, colour, transparency or other characteristics of the water seriously reducing its amenity values.
14. Materials and substances which may float, remain in suspension or sink, and which may seriously interfere with any legitimate use of the sea.
15. Lignin substances contained in industrial waste waters.
16. The chelators EDTA (ethylenedinitrilotetraacetic acid or ethylenediaminetetraacetic acid) and DTPA (diethylenetriaminopentaacetic acid).

ANNEX III

GOALS, CRITERIA AND MEASURES CONCERNING THE PREVENTION
OF LAND-BASED POLLUTION

In accordance with the provisions of Article 6 of the present Convention the Contracting Parties shall endeavour to attain the goals and apply the criteria and measures enumerated in this Annex in order to control and minimize land-based pollution of the marine environment of the Baltic Sea Area.

1. Municipal sewage shall be treated in an appropriate way so that the amount of organic matter does not cause harmful changes in the oxygen content of the Baltic Sea Area and the amount of nutrients does not cause harmful eutrophication of the Baltic Sea Area.

2. Municipal sewage shall also be treated in an appropriate way to ensure that the hygienic quality, and in particular epidemiological and toxicological safety, of the receiving sea area is maintained at a level which does not cause harm to human health, and in a way that under the given composition of the sewage no significant amount of such harmful substances as are listed in Annexes I and II of the present Convention is formed.

3. The polluting load of industrial wastes shall be minimized in an appropriate way in order to reduce the amount of harmful substances, organic matter and nutrients.

4. The means referred to in Paragraph 3 of this Annex shall in particular include minimization of production of wastes by processing techniques, re-circulation and re-use of processing water, developing of water economy and improvement of qualifications for water treatment. In the treatment of waste water mechanical, chemical, biological and other measures, according to the quality of the waste water, and as required to maintain or improve the quality of the recipient water, shall be applied.

5. The discharge of cooling water from nuclear power plants or other kinds of industries using large amounts of water shall be effected in a way which minimizes the pollution of the marine environment of the Baltic Sea Area.

6. The Commission will define pollution control criteria, objectives for reduction of pollution and objectives concerning measures, including processing techniques and waste treatment, to reduce pollution of the Baltic Sea Area.

ANNEX IV

PREVENTION OF POLLUTION FROM SHIPS

Regulation 1

The Contracting Parties shall as appropriate co-operate and assist each other in initiating action by the Inter-Governmental Maritime Consultative Organization to develop:

a) International rules for navigation of deep draught ships in narrow and shallow waters in international waters of the Baltic Sea Area and in the entrances to the Baltic Sea for the prevention of collisions, strandings and groundings;

b) An international radio reporting system for large ships en route within the Baltic Sea Area as well as for ships carrying a significant amount of a harmful substance.

Regulation 2

The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, as appropriate assist each other in investigating violations of the existing legislation on antipollution measures, which have occurred or are suspected to have occurred within the Baltic Sea Area. This assistance may include but is not limited to inspection by the competent authorities of oil record books, cargo record books, log books and engine log books and taking oil samples for analytical identification purposes and in respect of the system of tagging oil residues.

Regulation 3. DEFINITIONS

For the purposes of this Annex:

1. "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

2. "Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

3. a) "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;

b) "Discharge" does not include:

- (i) Dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 December 1972;¹ or
- (ii) Release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (iii) Release of harmful substances for purposes of legitimate scientific research into pollution abatement or control.

4. "Nearest land". The term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law.

5. The term "jurisdiction" shall be interpreted in accordance with international law in force at the time of application or interpretation of this Annex.

¹ United Nations, *Treaty Series*, vol. 1046, p. 120.

Regulation 4. OIL

The Contracting Parties shall as soon as possible but not later than 1 January 1977 or on the date of entry into force of the present Convention, whichever occurs later, apply the provisions of Paragraphs A to D of this Regulation on methods for the prevention of pollution by oil from ships while operating in the Baltic Sea Area.

A. Definitions

For the purposes of this Regulation:

1. "Oil" means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products (other than petrochemicals which are subject to the provisions of Regulation 5 of this Annex) and, without limiting the generality of the foregoing, includes the substances listed in Appendix I to this Annex.
2. "Oily mixture" means a mixture with any oil content.
3. "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.
4. "Oil tanker" means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes combination carriers and any "chemical tanker" as defined in Regulation 5 of this Annex when it is carrying a cargo or part cargo of oil in bulk.
5. "Combination carrier" means a ship designed to carry either oil or solid cargoes in bulk.
6. "Clean ballast" means the ballast in a tank which since oil was last carried therein has been so cleaned that effluent therefrom 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 shore lines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines. If the ballast is discharged through an oil discharge monitoring and control system approved by the Administration, evidence based on such a system to the effect that the oil content of the effluent did not exceed 15 parts per million shall be determinative that the ballast was clean, notwithstanding the presence of visible traces.
7. "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 substances as variously defined in the Regulation of this Annex.

B. Control of Discharge of Oil

1.
 - a) Subject to the provisions of Paragraph C of this Regulation, any discharge into the sea of oil or oily mixtures from any oil tanker and any ship of 400 tons gross tonnage and above other than an oil tanker shall be prohibited, while in the Baltic Sea Area;
 - b) Such ships while in the Baltic Sea Area shall retain on board all oil drainage and sludge, dirty ballast and tank washing waters and discharge them only to reception facilities.
2.
 - a) Subject to the provisions of Paragraph C of this Regulation, any discharge into the sea of oil or oily mixtures from a ship of less than 400 tons gross tonnage, other than an oil tanker, shall be prohibited while in the Baltic Sea Area, except when the oil content of the effluent without dilution does not exceed 15 parts per million or alternatively when all of the following conditions are satisfied:
 - (i) The ship is proceeding en route;
 - (ii) The oil content of the effluent is less than 100 parts per million; and
 - (iii) The discharge is made as far as practicable from the land, but in no case less than 12 nautical miles from the nearest land;

b) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this Regulation;

c) The oil residues which cannot be discharged into the sea in compliance with Sub-Paragraph 2a) of this Paragraph shall be retained on board or discharged to reception facilities.

3. The provisions of this Paragraph shall not apply to the discharge of clean or segregated ballast.

4. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, the Contracting Parties should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this Regulation. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.

C. *Exceptions*

Paragraph B of this Regulation shall not apply to:

a) The discharge into the sea of oil or oily mixtures necessary for the purpose of securing the safety of a ship or saving life at sea; or

b) The discharge into the sea of oil or oily mixtures 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

c) The discharge into the sea of substances containing oil, approved by the Administration, when being used for the purpose of combatting specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Contracting Party in whose jurisdiction it is contemplated the discharge will occur.

D. *Special Requirements for Drilling Rigs and Other Platforms*

Fixed and floating drilling rigs when engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources and other platforms shall comply with the requirements of this Regulation applicable to ships of 400 tons gross tonnage and above other than oil tankers, except that:

a) They shall keep a record of all operations involving oil or oily mixture discharges, in a form approved by the Administration; and

b) Subject to the provisions of Paragraph C of this Regulation, the discharge into the sea of oil or oily mixtures shall be prohibited except when the oil content of the discharge without dilution does not exceed 15 parts per million.

E. *Reception Facilities of the Baltic Sea Area*

The Contracting Parties undertake to ensure that not later than 1 January 1977 all oil loading terminals and repair ports of the Baltic Sea Area are provided with facilities adequate for the reception and treatment of all the dirty ballast and tank washing waters from oil tankers. In addition all ports of the area shall be provided with adequate reception facilities for other residues and oily mixtures from all ships. Such facilities shall have adequate capacity to meet the needs of the ships using them without causing undue delay.

Regulation 5. NOXIOUS LIQUID SUBSTANCES IN BULK

The Contracting Parties shall as soon as possible, but not later than 1 January 1977 or at a date not later than one year after the date of the entry into force of the present Convention, whichever occurs later, decide upon a date from which the provisions of Paragraphs A to D of this Regulation on the discharge of noxious liquid substances in bulk from ships while operating in the Baltic Sea Area shall apply.

A. Definitions

For the purposes of this Regulation:

1. "Chemical tanker" means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an "oil tanker" as defined in Regulation 4 of this Annex when carrying a cargo or part cargo of noxious liquid substances in bulk.

2. "Clean ballast" means ballast carried in a tank which, since it was last used to carry a cargo containing a substance in Category A, B, C, or D has been thoroughly cleaned and the residues resulting therefrom have been discharged and the tank emptied in accordance with the appropriate requirements of this Regulation.

3. "Segregated ballast" means ballast water introduced into a tank permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious liquid substances as variously defined in the Regulations of this Annex, and which is completely separated from the cargo and oil fuel system.

4. "Liquid substances" are those having a vapour pressure not exceeding 2.8 kP/cm² at a temperature of 37.8° C.

5. "Noxious liquid substance" means any substance designated in Appendix III to this Annex or provisionally assessed under the provisions of Sub-Paragraph 4 of Paragraph B of this Regulation as falling into Category A, B, C, or D.

B. Categorization and Listing of Noxious Liquid Substances

1. For the purposes of this Regulation noxious liquid substances shall be divided into four categories as follows:

a) Category A. Noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a major hazard to either marine resources or human health or cause serious harm to amenities or other legitimate uses of the sea and therefore justify the application of stringent anti-pollution measures;

b) Category B. Noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify the application of special anti-pollution measures;

c) Category C. Noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a minor hazard to either marine resources or human health or cause minor harm to amenities or other legitimate uses of the sea and therefore require special operational conditions;

d) Category D. Noxious liquid substances which if discharged into the sea from tank cleaning or deballasting operations would present a recognizable hazard to either marine resources or human health or cause minimal harm to amenities or other legitimate uses of the sea and therefore require some attention in operational conditions.

2. Guidelines for use in the categorization of noxious liquid substances are given in Appendix II to this Annex.

3. The list of noxious liquid substances carried in bulk and presently categorized which are subject to the provisions of this Regulation is set out in Appendix III to this Annex.

4. Where it is proposed to carry a liquid substance in bulk which has not been categorized under Sub-Paragraph 1 of this Paragraph or evaluated as referred to in Sub-Paragraph 1

of Paragraph C of this Regulation the Contracting Parties involved in the proposed operation shall establish and agree on a provisional assessment for the proposed operation on the basis of the guidelines referred to in Sub-Paragraph 2 of this Paragraph. Until full agreement between the Governments involved has been reached, the substance shall be carried under the most severe conditions proposed.

C. Other Liquid Substances

1. The substances listed in Appendix IV to this Annex have been evaluated and found to fall outside the Categories A, B, C, and D, as defined in Sub-Paragraph 1 of Paragraph B of this Regulation because they are presently considered to present no harm to human health, marine resources, amenities or other legitimate uses of the sea, when discharged into the sea from tank cleaning or deballasting operations.

2. The discharge of bilge or ballast water or other residues or mixtures containing only substances listed in Appendix IV to this Annex shall not be subject to any requirement of this Regulation.

3. The discharge into the sea of clean ballast or segregated ballast shall not be subject to any requirement of this Regulation.

D. Discharge of Noxious Liquid Substances

Subject to the provisions of Paragraph E of this Regulation:

1. The discharge into the sea of substances in Category A as defined in Sub-Paragraph 1a) of Paragraph B of this Regulation, or of those provisionally assessed as such or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited. If tanks containing such substances or mixtures are to be washed, the resulting residues shall be discharged to a reception facility which the Contracting Parties shall provide in accordance with Paragraph H of this Regulation, until the concentration of the substance in the effluent to such facility is at or below the residual concentration prescribed for that substance in column IV of Appendix III to this Annex and until the tank is empty. Provided that the residue then remaining in the tank is subsequently diluted by the addition of a volume of water of not less than 5 per cent of the total volume of the tank, it may be discharged into the sea when all the following conditions are also satisfied:

a) The ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

b) The discharge is made below the water-line, taking into account the location of the seawater intakes; and

c) The discharge is made at a distance of not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

2. The discharge into the sea of substances in Category B as defined in Sub-Paragraph 1b) of Paragraph B of this Regulation or of those provisionally assessed as such or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied:

a) The tank has been washed after unloading with a volume of water of not less than 0.5 per cent of the total volume of the tank, and the resulting residues have been discharged to a reception facility until the tank is empty;

b) The ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

c) The procedures and arrangements for discharge and washings are approved by the Administration and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 1 part per million;

d) The discharge is made below the water-line taking into account the location of the seawater intakes; and

e) The discharge is made at a distance of not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

3. The discharge into the sea of substances in Category C as defined in Sub-Paragraph 1c) of Paragraph B of this Regulation or of those provisionally assessed as such or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied:

a) The ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

b) The procedures and arrangements for discharge are approved by the Administration and shall ensure that the concentration and rate of discharge of the effluent is such that the concentration of the substance in the wake astern of the ship does not exceed 1 part per million;

c) The maximum quantity of cargo discharged from each tank and its associated piping system does not exceed the maximum quantity approved in accordance with the procedures referred to in Sub-Paragraph 3b) of this Paragraph which shall in no case exceed the greater of 1 cubic metre or 1/3.000 of the tank capacity in cubic metres;

d) The discharge is made below the water-line, taking into account the location of the seawater intakes; and

e) The discharge is made at a distance of not less than 12 nautical miles from the nearest land and in a depth of water of not less than 25 metres.

4. The discharge into the sea of substances in Category D as defined in Sub-Paragraph 1d) of Paragraph B of this Regulation, or of those provisionally assessed as such or ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited except when all the following conditions are satisfied:

a) The ship is proceeding en route at a speed of at least 7 knots in the case of self-propelled ships or at least 4 knots in the case of ships which are not self-propelled;

b) Such mixtures are of a concentration not greater than one part of the substance in ten parts of water; and

c) The discharge is made at a distance of not less than 12 nautical miles from the nearest land.

5. Ventilation procedures approved by the Administration may be used to remove cargo residues from a tank. If subsequent washing of the tank is necessary, the discharge into the sea of the resulting tank washings shall be made in accordance with Sub-Paragraphs 1, 2, 3, or 4 of this Paragraph, whichever is applicable.

6. The discharge into the sea of substances which have not been categorized, provisionally assessed, or evaluated as referred to in Sub-Paragraph 1 of Paragraph C of this Regulation, or of ballast water, tank washings, or other residues or mixtures containing such substances shall be prohibited.

E. *Exceptions*

Paragraph D of this Regulation shall not apply to:

a) The discharge into the sea of noxious liquid substances or mixtures containing such substances necessary for the purpose of securing the safety of a ship or saving life at sea; or

b) The discharge into the sea of noxious liquid substances or mixtures containing such substances 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

c) The discharge into the sea of noxious liquid substances or mixtures containing such substances, approved by the Administration, when being used for the purpose of combatting specific pollution incidents in order to minimize the damage from pollution. Any such discharge shall be subject to the approval of any Contracting Party in whose jurisdiction it is contemplated the discharge will occur.

F. Measures of Control

1. The Contracting Parties shall appoint or authorize surveyors for the purpose of implementing this Paragraph.

Category A Substances

2. a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;

b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connection with that tank shall also be entered in the Cargo Record Book.

3. If the tank is to be washed:

a) The effluent from the tank washing operation shall be discharged from the ship to a reception facility at least until the concentration of the substance in the discharge, as indicated by analyses of samples of the effluent taken by the surveyor, has fallen to the residual concentration specified for that substance in Appendix III to this Annex. When the required residual concentration has been achieved, remaining tank washings shall continue to be discharged to the reception facility until the tank is empty. Appropriate entries of these operations shall be made in the Cargo Record Book and certified by the surveyor; and

b) After diluting the residue then remaining in the tank with at least 5 per cent of the tank capacity of water, this mixture may be discharged into the sea in accordance with the provisions of Sub-Paragraphs 1a), b), and c) of Paragraph D of this Regulation. Appropriate entries of these operations shall be made in the Cargo Record Book.

4. Where the Government of the receiving Party is satisfied that it is impracticable to measure the concentration of the substance in the effluent without causing undue delay to the ship, that Party may accept an alternative procedure as being equivalent to Sub-Paragraph 3a) of this Paragraph provided that:

a) A precleaning procedure for that tank and that substance is approved by the Administration and that Party is satisfied that such procedure will fulfil the requirements of Sub-Paragraph 1 of Paragraph D of this Regulation with respect to the attainment of the prescribed residual concentrations;

b) A surveyor duly authorized by that Party shall certify in the Cargo Record Book that:

- (i) The tank, its pump and piping system have been emptied, and that the quantity of cargo remaining in the tank is at or below the quantity on which the approved precleaning procedure referred to in Sub-Paragraph (ii) of this Sub-Paragraph has been based;
- (ii) Precleaning has been carried out in accordance with the precleaning procedure approved by the Administration for that tank and that substance; and
- (iii) The tank washings resulting from such precleaning have been discharged to a reception facility and the tank is empty;

c) The discharge into the sea of any remaining residues shall be in accordance with the provisions of Sub-Paragraph 3b) of this Paragraph and an appropriate entry is made in the Cargo Record Book.

Category B Substances

5. Subject to such surveillance and approval by the authorized or appointed surveyor as may be deemed necessary by the Contracting Party, the Master of a ship shall, with respect to a Category B substance, ensure compliance with the following:

- a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;
- b) Until that tank is cleaned every subsequent pumping or transfer operation carried out in connection with that tank shall also be entered in the Cargo Record Book;
- c) If the tank is to be washed, the effluent from the tank washing operation, which shall contain a volume of water not less than 0.5 per cent of the total volume of the tank, shall be discharged from the ship to a reception facility until the tank, its pump and piping system are empty. An appropriate entry shall be made in the Cargo Record Book;
- d) If the tank is to be further cleaned and emptied at sea, the Master shall:
- (i) Ensure that the approved procedures referred to in Sub-Paragraph 2c) of Paragraph D of this Regulation are complied with and that the appropriate entries are made in the Cargo Record Book; and
- (ii) Ensure that any discharge into the sea is made in accordance with the requirements of Sub-Paragraph 2 of Paragraph D of this Regulation and an appropriate entry is made in the Cargo Record Book;
- e) If after unloading a Category B substance, any residues of tank washings are to be retained on board until the ship is outside the Baltic Sea Area, the Master shall so indicate by an appropriate entry in the Cargo Record Book.

Category C Substances

6. Subject to such surveillance and approval by the authorized or appointed surveyor as may be deemed necessary by the Contracting Party, the Master of a ship shall, with respect to a Category C substance, ensure compliance with the following:

- a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;
- b) If the tank is to be cleaned at sea:
- (i) The cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;
- (ii) The quantity of substance remaining in the tank shall not exceed the maximum quantity which may be discharged into the sea for that substance under Sub-Paragraph 3c) of Paragraph D of this Regulation. An appropriate entry shall be made in the Cargo Record Book;
- (iii) Where it is intended to discharge the quantity of substance remaining into the sea the approved procedures shall be complied with, and the necessary dilution of the substance satisfactory for such a discharge shall be achieved. An appropriate entry shall be made in the Cargo Record Book; or
- (iv) Where the tank washings are not discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in the Cargo Record Book; and
- (v) Any subsequent discharge into the sea of such tank washings shall be made in accordance with the requirements of Sub-Paragraph 3 of Paragraph D of this Regulation;
- c) If the tank is to be cleaned in port:
- (i) The tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or
- (ii) The tank washings shall be retained on board the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings;

d) If after unloading a Category C substance within the Baltic Sea Area, any residues or tank washings are to be retained on board until the ship is outside the area, the Master shall so indicate by an appropriate entry in the Cargo Record Book.

Category D Substances

7. The Master of a ship shall, with respect to a Category D substance, ensure compliance with the following:

a) If a tank is partially unloaded or unloaded but not cleaned, an appropriate entry shall be made in the Cargo Record Book;

b) If the tank is to be cleaned at sea:

- (i) The cargo piping system serving that tank shall be drained and an appropriate entry made in the Cargo Record Book;
- (ii) Where it is intended to discharge the quantity of substance remaining into the sea, the necessary dilution of the substance satisfactory for such a discharge shall be achieved. An appropriate entry shall be made in the Cargo Record Book;
- (iii) Where the tank washings are not discharged into the sea, if any internal transfer of tank washings takes place from that tank an appropriate entry shall be made in the Cargo Record Book; and
- (iv) Any subsequent discharge into the sea of such tank washings shall be made in accordance with the requirements of Sub-Paragraph 4 of Paragraph D of this Regulation;

c) If the tank is to be cleaned in port:

- (i) The tank washings shall be discharged to a reception facility and an appropriate entry shall be made in the Cargo Record Book; or
- (ii) The tank washings shall be retained on board the ship and an appropriate entry shall be made in the Cargo Record Book indicating the location and disposition of the tank washings.

Discharge from a Slop Tank

8. Any residues retained on board in a slop tank, including those from pump room bilges, which contain a Category A or a Category B substance, shall be discharged to a reception facility in accordance with the provisions of Sub-Paragraph 1 or 2 of Paragraph D of this Regulation, whichever is applicable. An appropriate entry shall be made in the Cargo Record Book.

9. Any residues retained on board in a slop tank, including those from pump room bilges, which contain a Category C substance in excess of the aggregate of the maximum quantities specified in Sub-Paragraph 3c) of Paragraph D of this Regulation shall be discharged to a reception facility. An appropriate entry shall be made in the Cargo Record Book.

G. Cargo Record Book

1. Every ship to which this Regulation applies shall be provided with a Cargo Record Book, whether as part of the ship's official log book or otherwise, in the form specified in Appendix V to this Annex.

2. The Cargo Record Book shall be completed, on a tank-to-tank basis, whenever any of the following operations with respect to a noxious liquid substance takes place in the ship:

- (i) Loading of cargo;
- (ii) Unloading of cargo;
- (iii) Transfer of cargo;
- (iv) Transfer of cargo, cargo residues or mixtures containing cargo to a slop tank;
- (v) Cleaning of cargo tanks;

- (vi) Transfer from slop tanks;
- (vii) Ballasting of cargo tanks;
- (viii) Transfer of dirty ballast water;
- (ix) Discharge into the sea in accordance with Paragraph D of this Regulation.

3. If the event of any discharge of the kind referred to in Annex VI of the present Convention and Paragraph E of this Regulation of any noxious liquid substance or mixture containing such substance, whether intentional or accidental, an entry shall be made in the Cargo Record Book stating the circumstances of, and the reason for, the discharge.

4. When a surveyor appointed or authorized by a Contracting Party to supervise any operations under this Regulation has inspected a ship, then that surveyor shall make an appropriate entry in the Cargo Record Book.

5. Each operation referred to in Sub-Paragraphs 2 and 3 of this Paragraph shall be fully recorded without delay in the Cargo Record Book so that all the entries in the Book appropriate to that operation are completed. Each entry shall be signed by the officer or officers in charge of the operation concerned and, when the ship is manned, each page shall be signed by the Master of the ship. The entries in the Cargo Record Book shall be in an official language of the State whose flag the ship is entitled to fly, and, except when the ship is engaged in domestic voyages, in English or French. The entries in an official national language of the State whose flag the ship is entitled to fly shall prevail in case of a dispute or discrepancy.

6. The Cargo Record Book shall be kept in such a place as to be readily available for inspection and, except in the case of unmanned ships under tow, shall be kept on board the ship. It shall be retained for a period of two years after the last entry has been made.

7. The competent authority of a Contracting Party may inspect the Cargo Record Book on board any ship to which this Regulation applies while the ship is in its port, and may make a copy of any entry in that Book and may require the Master of the ship to certify that the copy is a true copy of such entry. Any copy so made which has been certified by the Master of the ship as a true copy of an entry in the ship's Cargo Record book shall be made admissible in any judicial proceeding as evidence of the facts stated in the entry. The inspection of a Cargo Record Book and the taking of a certified copy by the competent authority under this Paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

H. *Reception Facilities*

1. The Contracting Parties undertake to ensure the provision of reception facilities according to the needs of ships using their ports, terminals or repair ports of the Baltic Sea Area as follows:

a) Cargo loading and unloading ports and terminals shall have facilities adequate for reception without undue delay to ships of such residues and mixtures containing noxious liquid substances as would remain for disposal from ships carrying them as a consequence of the application of this Regulation; and

b) Ship repair ports undertaking repairs to chemical tankers shall have facilities adequate for the reception of residues and mixtures containing noxious liquid substances.

2. Each Contracting Party shall determine the types of facilities provided for the purpose of Sub-Paragraph 1 of this Paragraph at its cargo loading and unloading ports, terminals and ship repair ports of the Baltic Sea Area.

Regulation 6. HARMFUL SUBSTANCES IN PACKAGED FORMS

A. The Contracting Parties shall as soon as possible apply suitable uniform rules for the carriage of harmful substances in packaged forms or in freight containers, portable tanks or road and rail tank wagons.

B. With respect to certain harmful substances, as may be designated by the Commission, the Master or owner of the ship or his representative shall notify the appropriate port authority of the intent to load or unload such substances at least 24 hours prior to such action.

C. A report of an incident involving harmful substances shall be made in accordance with the provisions of Annex VI of the present Convention.

Regulation 7. SEWAGE

The Contracting Parties shall apply the provisions of Paragraphs A to D of this Regulation on discharge of sewage from ships while operating in the Baltic Sea Area.

A. Definitions

For the purposes of this Regulation:

1. "New ship" means a ship:

a) For which the building contract is placed, or in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, on or after the date of entry into force of the present Convention; or

b) The delivery of which is three years or more after the date of entry into force of the present Convention.

2. "Existing ship" means a ship which is not a new ship.

3. "Sewage" means:

a) Drainage and other wastes from any form of toilets, urinals, and WC scuppers;

b) Drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;

c) Drainage from spaces containing living animals; or

d) Other waste waters when mixed with the drainages defined above.

4. "Holding tank" means a tank used for the collection and storage of sewage.

B. Application

1. The provisions of this Regulation shall apply to:

a) New ships certified to carry more than 100 persons from a date not later than 1 January 1977;

b) Existing ships certified to carry more than 400 persons from a date not later than 1 January 1978; and

c) Other ships, as specified in Sub-Paragraphs (i), (ii), and (iii), from dates decided by the Contracting Parties on recommendation by the Commission:

(i) Ships of 200 tons gross tonnage and above;

(ii) Ships of less than 200 tons gross tonnage which are certified to carry more than 10 persons;

(iii) Ships which do not have a measured gross tonnage and are certified to carry more than 10 persons.

In the case of new such ships the date shall be not later than 1 January 1979. In the case of existing such ships the date shall be not later than ten years after the date decided for new ships.

2. A Contracting Party may, if it is satisfied that the application of the provisions of Sub-Paragraph 1b) of this Paragraph with respect to a certain ship would necessitate constructional alterations which would be unreasonable, exempt the ship from the application until a date not later than ten years after the date of entry into force of the present Convention.

C. Discharge of Sewage

1. Subject to the provisions of Paragraph D of this Regulation, the discharge of sewage into the sea is prohibited, except when:

a) The ship is discharging comminuted and disinfected sewage using a system approved by the Administration at a distance of more than 4 nautical miles from the nearest land, or sewage which is not comminuted or disinfected at a distance of more than 12 nautical miles from the nearest land, provided that in any case the sewage that has been stored in holding tanks shall not be discharged instantaneously but at a moderate rate when the ship is en route and proceeding at not less than 4 knots; or

b) The ship has in operation a sewage treatment plant which has been approved by the Administration, and

- (i) The test results of the plant are laid down in a document carried by the ship;
- (ii) Additionally, the effluent shall not produce visible floating solids in, nor cause discoloration of the surrounding water; or

c) The ship is situated in the waters under the jurisdiction of a State and is discharging sewage in accordance with such less stringent requirements as may be imposed by such State.

2. When the sewage is mixed with wastes or waste water having different discharge requirements, the more stringent requirements shall apply.

D. *Exceptions*

Paragraph C of this Regulation shall not apply to:

a) The discharge of sewage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

b) The discharge of sewage resulting from damage to a ship or its equipment if all reasonable precautions have been taken before and after the occurrence of the damage for the purpose of preventing or minimizing the discharge.

E. *Reception Facilities*

1. Each Contracting Party undertakes to ensure the provision of facilities at its ports and terminals of the Baltic Sea Area for the reception of sewage, without causing undue delay to ships, adequate to meet the needs of the ships using them.

2. To enable pipes of reception facilities to be connected with the ship's discharge pipeline, both lines shall be fitted with a standard discharge connection in accordance with the following table:

STANDARD DIMENSIONS OF FLANGES FOR DISCHARGE CONNECTIONS

<i>Description</i>	<i>Dimension</i>
Outside diameter.....	210 mm
Inner diameter.....	According to pipe outside diameter
Bolt circle diameter.....	170 mm
Slots in flange.....	4 holes 18 mm in diameter equidistantly placed on a bolt circle of the above diameter, slotted to the flange periphery. The slot width to be 18 mm
Flange thickness.....	16 mm
Bolts and nuts: quantity and diameter....	4 each of 16 mm in diameter and of suitable length

The flange is designed to accept pipes up to a maximum internal diameter of 100 mm and shall be of steel or other equivalent material having a flat face. This flange, together with a suitable gasket, shall be suitable for a service pressure of 6 kg/cm².

For ships having a moulded depth of 5 metres and less, the inner diameter of the discharge connection may be 38 millimetres.

Regulation 8. GARBAGE

The Contracting Parties shall as soon as possible but not later than 1 January 1976 or on the date of entry into force of the present Convention, whichever occurs later, apply the provisions of Paragraphs A to D of this Regulation on the disposal of garbage from ships while operating in the Baltic Sea Area.

A. Definition

For the purposes of this Regulation:

“Garbage” means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Regulations of this Annex.

B. Disposal of Garbage

1. Subject to the provisions of Paragraphs C and D of this Regulation:

a) Disposal into the sea of the following is prohibited:

- (i) All plastics, including but not limited to synthetic ropes, synthetic fishing nets and plastic garbage bags; and
- (ii) All other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;

b) Disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land.

2. When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

C. Special Requirements for Fixed and Floating Platforms

1. Subject to the provisions of Sub-Paragraph 2 of this Paragraph, the disposal of any materials regulated by this Regulation is prohibited from fixed or floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources, and all other ships when alongside or within 500 metres of such platforms.

2. The disposal into the sea of food wastes may be permitted when they have passed through a comminuter or grinder from such fixed or floating platforms located more than 12 nautical miles from land and all other ships when alongside or within 500 metres of such platforms. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

D. Exceptions

Paragraphs B and C of this Regulation shall not apply to:

a) The disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

b) The escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape; or

c) The accidental loss of synthetic fishing nets or synthetic material incidental to the repair of such nets, provided that all reasonable precautions have been taken to prevent such loss.

E. Reception Facilities

Each Contracting Party undertakes to ensure the provision of facilities at its ports and terminals of the Baltic Sea Area for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.

ANNEX IV. APPENDIX I

*List of oils***Asphalt solutions*

Blending Stocks
Roofers Flux
Straight Run Residue

Oils

Clarified
Crude Oil
Mixtures containing crude oil
Diesel Oil
Fuel Oil No. 4
Fuel Oil No. 5
Fuel Oil No. 6
Residual Fuel Oil
Road Oil
Transformer Oil
Aromatic Oil (excluding vegetable oil)
Lubricating Oils and Blending Stocks
Mineral Oil
Motor Oil
Penetrating Oil
Spindle Oil
Turbine Oil

Distillates

Straight Run
Flashed Feed Stocks

Gas Oil

Cracked

Gasolene Blending Stocks

Alkylates — fuel
Reformats
Polymer — fuel

Gasolenes

Casinghead (natural)
Automotive
Aviation
Straight Run
Fuel Oil No. 1 (Kerosene)
Fuel Oil No. 1-D
Fuel Oil No. 2
Fuel Oil No. 2-D

Jet Fuels

JP-1 (Kerosene)
JP-3
JP-4
JP-5 (Kerosene, Heavy)
Turbo Fuel
Kerosene
Mineral Spirit

Naphtha

Solvent
Petroleum
Heartcut Distillate Oil

* The list of oils shall not necessarily be considered as comprehensive.

ANNEX IV. APPENDIX II

*Guidelines for the Categorization of Noxious Liquid Substances**Category A*

Substances which are bioaccumulated and liable to produce a hazard to aquatic life or human health; or which are highly toxic to aquatic life (as expressed by a Hazard Rating 4, defined by a TLM less than 1 ppm); and additionally certain substances which are moderately toxic to aquatic life (as expressed by a Hazard Rating 3, defined by a TLM of 1 or more, but less than 10 ppm) when particular weight is given to additional factors in the hazard profile or to special characteristics of the substance.

Category B

Substances which are bioaccumulated with a short retention of the order of one week or less; or which are liable to produce tainting of the sea food; or which are moderately toxic to aquatic life (as expressed by a Hazard Rating 3, defined by a TLM of 1 ppm or more, but less than 10 ppm); and additionally certain substances which are slightly toxic to aquatic life (as expressed by a Hazard Rating 2, defined by a TLM of 10 ppm or more, but less than 100 ppm) when particular weight is given to additional factors in the hazard profile or to special characteristics of the substance.

Category C

Substances which are slightly toxic to aquatic life (as expressed by a Hazard Rating 2, defined by a TLM of 10 or more, but less than 100 ppm); and additionally certain substances which are practically non-toxic to aquatic life (as expressed by a Hazard Rating 1, defined by a TLM of 100 ppm or more, but less than 1.000 ppm) when particular weight is given to additional factors in the hazard profile or to special characteristics of the substance.

Category D

Substances which are practically non-toxic to aquatic life (as expressed by a Hazard Rating 1, defined by a TLM of 100 ppm or more, but less than 1.000 ppm); or causing deposits blanketing the seafloor with a high biochemical oxygen demand (BOD); or highly hazardous to human health, with an LD₅₀ of less than 5 mg/kg; or produce moderate reduction of amenities because of persistency, smell or poisonous or irritant characteristics, possibly interfering with use of beaches; or moderately hazardous to human health, with an LD₅₀ of 5 mg/kg or more, but less than 50 mg/kg and produce slight reduction of amenities.

Other Liquid Substances (for the purposes of Paragraph C of Regulation 5)

Substances other than those categorized in Categories A, B, C, and D above.

ANNEX IV. APPENDIX III

List of Noxious Liquid Substances Carried in Bulk

Substance	UN Number	Pollution Category for oper- ational discharge	Residual concentration (per cent by weight)	
			(Para- graph B of Regula- tion 5)	(Para- graph D(1) of Regula- tion 5) (Within the Baltic Sea Area)
	I	II	III	IV
Acetaldehyde	1089	C		
Acetic acid	1842	C		
Acetic anhydride	1715	C		
Acetone	1090	D		
Acetone cyanohydrin	1541	A		0.05
Acetyl chloride	1717	C		
Acrolein	1092	A		0.05
Acrylic acid*	—	C		
Acrylonitrile	1093	B		
Adiponitrile	—	D		
Alkylbenzene sulfonate (straight chain)	—	C		
(branched chain)	—	B		
Allyl alcohol	1098	B		
Allyl chloride	1100	C		
Alum (15% solution)	—	D		
Aminoethylethanolamine (Hydroxyethyl-ethylenediamine)*	—	D		
Ammonia (28% aqueous)	1005	B		
iso-Amyl acetate	1104	C		
n-Amyl acetate	1104	C		
n-Amyl alcohol	—	D		
Aniline	1547	C		
Benzene	1114	C		
Benzyl alcohol	—	D		
Benzyl chloride	1738	B		
n-Butyl acetate	1123	D		
sec-Butyl acetate	1124	D		
n-Butyl acrylate	—	D		
Butyl butyrate*	—	B		
Butylene glycol(s)	—	D		
Butyl Methacrylate	—	D		
n-Butyraldehyde	1129	B		
Butyric acid	—	B		
Calcium hydroxide (solution)	—	D		
Camphor oil	1130	B		
Carbon disulphide	1131	A		0.005
Carbon tetrachloride	1846	B		
Caustic potash (Potassium hydroxide)	1814	C		
Chloroacetic acid	1750	C		

* Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

<i>Substance</i>	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>
Chloroform	1888	B		
Chlorohydrins (crude)*	—	D		
Chloroprene*	1991	C		
Chlorosulphonic acid	1754	C		
para-Chlorotoluene	—	B		
Citric acid (10-25%)	—	D		
Creosote	1334	A		0.05
Cresols	2076	A		0.05
Cresylic acid	2022	A		0.05
Crotonaldehyde	1143	B		
Cumene	1918	C		
Cyclohexane	1145	C		
Cyclohexanol	—	D		
Cyclohexanone	1915	D		
Cyclohexylamine*	—	D		
para-Cymene (Isopropyltoluene)*	2046	D		
Decahydronaphthalene	1147	D		
Decane*	—	D		
Diacetone alcohol*	1148	D		
Dibenzyl ether*	—	C		
Dichlorobenzenes	1591	A		0.05
Dichloroethyl ether	1916	B		
Dichloropropene-Dichloropropane mixture (D.D. Soil fumigant)	2047	B		
Diethylamine	1154	C		
Diethylbenzene (mixed isomers)	2049	C		
Diethyl ether	1155	D		
Diethylene triamine*	2079	C		
Diethylene glycol monoethyl ether	—	C		
Diethylketone (3-Pentanone)	1156	D		
Diisobutylene*	2050	D		
Diisobutyl ketone	1157	D		
Diisopropanolamine	—	C		
Diisopropylamine	1158	C		
Diisopropyl ether*	1159	D		
Dimethylamine (40% aqueous)	1160	C		
Dimethylethanolamine (2-Dimethylaminoethanol)*	2051	C		
Dimethylformamide	—	D		
1,4-Dioxane*	1165	C		
Diphenyl/Diphenyloxide mixtures*	—	D		
Dodecylbenzene	—	C		
Epichlorohydrin	2023	B		
2-Ethoxyethyl acetate*	1172	D		
Ethyl acetate	1173	D		
Ethyl acrylate	1917	D		
Ethyl amyl ketone*	—	C		
Ethylbenzene	1175	C		
Ethyl cyclohexane	—	D		
Ethylene chlorohydrin (2-Chloro-ethanol)	1135	D		
Ethylene cyanohydrin*	—	D		
Ethylenediamine	1604	C		
Ethylene dibromide	1605	B		
Ethylene dichloride	1184	B		
Ethylene glycol monethyl ether (Methyl cellosolve)	1171	D		
2-Ethylhexyl acrylate*	—	D		

* Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

<i>Substance</i>	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>
2-Ethylhexyl alcohol	—	C		
Ethyl lactate*	1192	D		
2-Ethyl 3-propylacrolein*	—	B		
Formaldehyde (37-50% solution)	1198	C		
Formic acid	1779	D		
Furfuryl alcohol	—	C		
Heptanoic acid*	—	D		
Hexamethylenediamine*	1783	C		
Hydrochloric acid	1789	D		
Hydrofluoric acid (40% aqueous)	1790	B		
Hydrogen peroxide (greater than 60%)	2015	C		
Isobutyl acrylate	—	D		
Isobutyl alcohol	1212	D		
Isobutyl methacrylate	—	D		
Isobutyraldehyde	2045	C		
Isooctane*	—	D		
Isopentane	—	D		
Isophorone	—	D		
Isopropylamine	1221	C		
Isopropyl cyclohexane	—	D		
Isoprene	1218	D		
Lactic acid	—	D		
Mesityl oxide*	1229	C		
Methyl acetate	1231	D		
Methyl acrylate	1919	C		
Methylamyl alcohol	—	D		
Methylene chloride	1593	B		
2-Methyl-5-Ethylpyridine*	—	B		
Methyl methacrylate	1247	D		
2-Methylpentene*	—	D		
alpha-Methylstyrene*	—	D		
Monochlorobenzene	1134	B		
Monoethanolamine	—	D		
Monoisopropanolamine	—	C		
Monomethyl ethanolamine	—	C		
Mononitrobenzene	—	C		
Monoisopropylamine	—	C		
Morpholine*	2054	C		
Naphthalene (molten)	1334	A		0.05
Naphthenic acids*	—	A		0.05
Nitric acid (90%)	2031/2032	C		
2-Nitropropane	—	D		
ortho-Nitrotoluene	1664	C		
Nonyl alcohol*	—	C		
Nonylphenol	—	C		
n-Octanol	—	C		
Oleum	1831	C		
Oxalic acid (10-25%)	—	D		
Pentachloroethane	1669	B		
n-Pentane	1265	C		
Perchloroethylene (Tetrachloroethylene)	1897	B		
Phenol	1671	B		
Phosphoric acid	1805	D		
Phosphorus (elemental)	1338	A		0.005
Phthalic Anhydride (molten)	—	C		

* Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

<i>Substance</i>	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>
beta-Propiolactone*	—	B		
Propionaldehyde	1275	D		
Propionic acid	1848	D		
Propionic anhydride	—	D		
n-Propyl acetate*	1276	C		
n-Propyl alcohol	1274	D		
n-Propylamine	1277	C		
Pyridine	1282	B		
Silicon tetrachloride	1818	D		
Sodium bichromate (solution)	—	C		
Sodium hydroxide	1824	C		
Sodium pentachlorophenate (solution)	—	A		0.05
Styrene monomer	2055	C		
Sulphuric acid	1830/1831/ 1832			
Tallow	—	D		
Tetraethyllead	1649	A		0.05
Tetrahydrofuran	2056	D		
Tetrahydronaphthalene	1540	C		
Tetramethylbenzene	—	D		
Tetramethyllead	1649	A		0.05
Titanium tetrachloride	—	D		
Toluene	1294	C		
Toluene diisocyanate*	2078	B		
Trichloroethane	—	C		
Trichloroethylene	1710	B		
Triethanolamine	—	D		
Triethylamine	1296	C		
Trimethylbenzene*	—	C		
Tritolyl phosphate (Tricresyl phosphate)*	—	B		
Turpentine (wood)	1299	B		
Vinyl acetate	1301	C		
Vinylidene chloride*	1303	B		
Xylenes (mixed isomers)	1307	C		

* Asterisk indicates that the substance has been provisionally included in this list and that further data are necessary in order to complete the evaluation of its environmental hazards, particularly in relation to living resources.

ANNEX IV. APPENDIX IV

List of Other Liquid Substances Carried in Bulk

Acetonitrile (Methyl cyanide)	n-Hexane
tert-Amyl alcohol	Ligroin
n-Butyl alcohol	Methyl alcohol
Butyrolactone	Methylamyl acetate
Calcium chloride (solution)	Methyl ethyl ketone (2-butanone)
Castor oil	Milk
Citric juices	Molasses
Coconut oil	Olive Oil
Cod liver oil	Polypropylene glycol
iso-Decyl alcohol	iso-Propyl acetate
n-Decyl alcohol	iso-Propyl alcohol
Decyl octyl alcohol	Propylene glycol
Dibutyl ether	Propylene oxide
Diethanolamine	Propylene tetramer
Diethylene glycol	Propylene trimer
Dipentene	Sorbitol
Dipropylene glycol	Sulphur (liquid)
Ethyl alcohol	Tridecanol
Ethylene glycol	Triethylene glycol
Fatty Alcohols (C ₁₂ -C ₂₀)	Triethylenetetramine
Glycerine	Tripropylene glycol
n-Heptane	Water
Heptene (mixed isomers)	Wine

ANNEX IV. APPENDIX V

Cargo Record Book for Ships Carrying Noxious Liquid Substances in Bulk

Name of ship

Cargo carrying capacity of each tank in cubic metres

Voyage from to

a) Loading of cargo

1. Date and place of loading
2. Name and category of cargo(es) loaded
3. Identity of tank(s) loaded

b) Transfer of cargo

4. Date of transfer
5. Identity of tank(s) (i) From
(ii) To
6. Was (were) tank(s) in 5(i) emptied?
7. If not, quantity remaining

c) Unloading of cargo

8. Date and place of unloading
9. Identity of tank(s) unloaded
10. Was (were) tank(s) emptied?
11. If not, quantity remaining in tank(s)
12. Is (are) tank(s) to be cleaned?
13. Amount transferred to slop tank
14. Identity of slop tank

d) Ballasting of cargo tanks

15. Identity of tank(s) ballasted
16. Date and position of ship at start of ballasting

..... Signature of Master

*e) Cleaning of cargo tanks**Category A substances*

17. Identity of tank(s) cleaned
18. Date and location of cleaning
19. Method(s) of cleaning
20. Location of reception facility used
21. Concentration of effluent when discharge to reception facility stopped
22. Quantity remaining in tank
23. Procedure and amount of water introduced into tank in final cleaning
24. Location, date of discharge into the sea
25. Procedure and equipment used in discharge into the sea

Category B, C, and D substances

26. Washing procedure used
27. Quantity of water used
28. Date, location of discharge into the sea
29. Procedure and equipment used in discharge into the sea

f) Transfer of dirty ballast water

- 30. Identity of tank(s)
- 31. Date and position of ship at start of discharge into the sea
- 32. Date and position of ship at finish of discharge into the sea
- 33. Ship's speed(s) during discharge
- 34. Quantity discharged into the sea
- 35. Quantity of polluted water transferred to slop tank(s) (identify slop tank(s))
- 36. Date and port of discharge to reception facilities (if applicable)

g) Transfer from slop tank/disposal of residue

- 37. Identity of slop tank(s)
- 38. Quantity disposed from each tank
- 39. Method of disposal of residue:
 - (a) Reception facilities
 - (b) Mixed with cargo
 - (c) Transferred to another (other) tank(s) (identify tank(s))
 - (d) Other method
- 40. Date and port of disposal of residue

..... Signature of Master

h) Accidental or other exceptional discharge

- 41. Date and time of occurrence
- 42. Place or position of ship at time of occurrence
- 43. Approximate quantity, name and category of substance
- 44. Circumstances of discharge or escape and general remarks

..... Signature of Master

ANNEX V

EXCEPTIONS FROM THE GENERAL PROHIBITION OF DUMPING OF WASTE
AND OTHER MATTER IN THE BALTIC SEA AREA*Regulation 1*

In accordance with Paragraph 2 of Article 9 of the present Convention the prohibition of dumping shall not apply to the disposal at sea of dredged spoils provided that:

1. They do not contain significant quantities and concentrations of substances to be defined by the Commission and listed in Annexes I and II of the present Convention; and
2. The dumping is carried out under a prior special permit given by the appropriate national authority, either
 - a) Within the area of the territorial sea of the Contracting Party; or
 - b) Outside the area of the territorial sea, whenever necessary, after prior consultations in the Commission.

When issuing such permits the Contracting Party shall comply with the provisions in Regulation 3 of this Annex.

Regulation 2

1. The appropriate national authority referred to in Paragraph 2 of Article 9 of the present Convention shall:

- a) Issue special permits provided for in Regulation 1 of this Annex;
- b) Keep records of the nature and quantities of matter permitted to be dumped and the location, time and method of dumping;
- c) Collect available information concerning the nature and quantities of matter that has been dumped in the Baltic Sea Area recently and up to the coming into force of the present Convention, provided that the dumped matter in question could be liable to contaminate water or organisms in the Baltic Sea Area, to be caught by fishing equipment or otherwise to give rise to harm, and the location, time and method of such dumping.

2. The appropriate national authority shall issue special permits in accordance with Regulation 1 of this Annex in respect of matter intended for dumping in the Baltic Sea Area:

- a) Loaded in its territory;
- b) Loaded by a vessel or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not Party to the present Convention.

3. When issuing permits under Sub-Paragraph 1a) above, the appropriate national authority shall comply with Regulation 3 of this Annex, together with such additional criteria, measures and requirements as they may consider relevant.

4. Each Contracting Party shall report to the Commission, and where appropriate to other Contracting Parties, the information specified in Sub-Paragraph 1c) of Regulation 2 of this Annex. The procedure to be followed and the nature of such reports shall be determined by the Commission.

Regulation 3

When issuing special permits according to Regulation 1 of this Annex the appropriate national authority shall take into account:

1. Quantity of dredged spoils to be dumped.
2. The content of the matter referred to in Annexes I and II of the present Convention.

3. Location (e.g. co-ordinates of the dumping area, depth and distance from coast) and its relation to areas of special interest (e.g. amenity areas, spawning, nursery and fishing areas, etc.).

4. Water characteristics, if dumping is carried out outside the territorial sea, consisting of:

- a) Hydrographic properties (e.g. temperature, salinity, density, profile);
- b) Chemical properties (e.g. pH, dissolved oxygen, nutrients);
- c) Biological properties (e.g. primary production and benthic animals).

The data should include sufficient information on the annual mean levels and the seasonal variation of the properties mentioned in this Paragraph.

5. The existence and effects of other dumping which may have been carried out in the dumping area.

Regulation 4

Reports made in accordance with Paragraph 5 of Article 9 of the present Convention shall include the following information:

1. Location of dumping, characteristics of dumped material, and counter measures taken:

a) Location (e.g. co-ordinates of the accidental dumping site, depth and distance from the coast);

b) Method of deposit;

c) Quantity and composition of dumped matter as well as its physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients), and biological properties (e.g. presence of viruses, bacteria, yeasts, parasites);

d) Toxicity;

e) Content of the substances referred to in Annexes I and II of the present Convention;

f) Dispersal characteristics (e.g. effects of currents and wind, and horizontal transport and vertical mixing);

g) Water characteristics (e.g. temperature, pH, redox conditions, salinity and stratification);

h) Bottom characteristics (e.g. topography, geological characteristics and redox conditions);

i) Counter measures taken and follow-up operations carried out or planned.

2. General considerations and conditions:

a) Possible effects on amenities (e.g. floating or stranded material, turbidity, objectionable odour, discolouration and foaming);

b) Possible effect on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and cultures; and

c) Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials, interference with fishing or navigation and protection of areas of special importance for scientific or conservation purposes).

ANNEX VI

CO-OPERATION IN COMBATting MARINE POLLUTION

Regulation 1

For the purposes of this Annex:

1. "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms.

2. "Administration" means the Government of the State under whose authority the ship is operating. With respect to a ship entitled to fly a flag of any State, the Administration is the Government of that State. With respect to fixed or floating platforms engaged in exploration and exploitation of the sea-bed and subsoil thereof adjacent to the coast over which the coastal State exercises sovereign rights for the purposes of exploration and exploitation of their natural resources, the Administration is the Government of the coastal State concerned.

3. a) "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.

b) "Discharge" does not include:

- (i) Dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter done at London on 29 December 1972; or
- (ii) Release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (iii) Release [of] harmful substances for purposes of legitimate scientific research into pollution abatement or control.

Regulation 2

The Contracting Parties undertake to maintain ability to combat spillages of oil and other harmful substances on the sea. This ability shall include adequate equipment, ships and manpower prepared for operations in coastal waters as well as on the high sea.

Regulation 3

The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, develop and apply, individually or in co-operation, surveillance activities covering the Baltic Sea Area, in order to spot and monitor oil and other harmful substances released into the sea.

Regulation 4

In the case of loss overboard of harmful substances in packages, freight containers, portable tanks, or road and rail tank wagons, the Contracting Parties shall co-operate in the salvage and recovery of such packages, containers or tanks so as to minimize the danger to the environment.

Regulation 5

1. The Contracting Parties shall develop and apply a system for receiving, channelling and dispatching reports on significant spillages of oil or other harmful substances observed at sea, as well as any incident causing or likely to cause any kind of significant pollution.

2. The Contracting Parties shall request masters of ships and pilots of aircraft to report without delay in accordance with this system on significant spillages of oil or other harmful substances observed at sea. Such reports should as far as possible contain the following data:

time, position, wind and sea conditions, and kind, extent and probable source of the spill observed.

3. The master of a ship involved in an incident referred to in Paragraph 1 of this Regulation, or other person having charge of the ship, shall without delay and to the fullest extent possible report in accordance with this system and with the provisions of the Appendix to the present Annex.

4. Each Contracting Party undertakes to issue instructions to its maritime inspection vessels and aircraft and to other appropriate services, to report to its authorities any observation or incident referred to in Paragraph 1 of this Regulation. Such reports shall as far as possible contain the data referred to in Paragraphs 2 or 3 of this Regulation respectively, as well as possible indications on the spreading or drifting tendencies of the spill in question.

5. Whenever a Contracting Party is aware of a casualty or the presence of spillages of oil or other harmful substances in the Baltic Sea Area likely to constitute a serious threat to the marine environment of the Baltic Sea Area or the coast or related interests of any other Contracting Party, it shall without delay transmit all relevant information thereon to the Contracting Party which may be affected by the pollutant and, as regards ship casualty incidents, to the Administration of the ship involved.

Regulation 6

Each Contracting Party shall request masters of ships flying its flag to provide, in case of an incident, on request by the proper authorities, such detailed information about the ship and its cargo which is relevant to actions for preventing or combatting pollution of the sea, and to co-operate with these authorities.

Regulation 7

1. *a)* The Contracting Parties shall as soon as possible agree bilaterally or multilaterally on those regions of the Baltic Sea Area in which they will take action for combatting or salvage activities whenever a significant spillage of oil or other harmful substances or any incidents causing or likely to cause pollution within the Baltic Sea Area have occurred or are likely to occur. Such agreements shall not prejudice any other agreements concluded between Contracting Parties concerning the same subject. The neighbouring States shall ensure the harmonization of the different agreements. The Contracting Parties shall inform each other about such agreements.

The Contracting Parties may ask the Commission for assistance to reach agreement, if needed.

b) The Contracting Party within whose region a situation as described in Regulation 1 of this Annex occurs shall make the necessary assessments of the situation and take adequate action in order to avoid or minimize subsequent pollution effects and shall keep drifting parts of the spillage under observation until no further action is called for.

2. In the case that such a spillage is drifting or is likely to drift into a region, where another Contracting Party should take action for purposes as defined in Sub-Paragraph 1*a)* of this Regulation, that Party shall without delay be informed of the situation and the actions that have been taken.

Regulation 8

A Contracting Party requiring assistance for combatting spillages of oil or other harmful substance at sea is entitled to call for assistance by other Contracting Parties, starting with those who seem likely also to be affected by the spillage. Contracting Parties called upon for assistance in accordance with this Regulation shall use their best endeavours to bring such assistance.

Regulation 9

1. The Contracting Parties shall provide information to the other Contracting Parties and the Commission about

a) Their national organization for dealing with spillages at sea of oil and other harmful substances;

b) National regulations and other matters which have a direct bearing on combatting pollution at sea by oil and other harmful substances;

c) The competent authority responsible for receiving and dispatching reports of pollution at sea by oil and other harmful substances;

d) The competent authorities for dealing with questions concerning measures of mutual assistance, information and co-operation between the Contracting Parties according to this Annex;

e) Actions taken in accordance with Regulation 8 of this Annex.

2. The Contracting Parties shall exchange information of research and development programs and results concerning ways in which pollution by oil and other harmful substances at sea may be dealt with and experiences in combatting such pollution.

Regulation 10

The authorities referred to in Sub-Paragraph 1*d)* of Regulation 9 of this Annex shall establish direct contact and co-operate in operational matters.

ANNEX VI. APPENDIX

*Provisions concerning Reports on Incidents Involving Harmful Substances**Regulation 1. DUTY TO REPORT*

1. The Master of a ship involved in an incident referred to in Regulation 3 of this Appendix, or other person having charge of the ship, shall report the particulars of such incident without delay and to the fullest extent possible in accordance with the provisions of this Appendix.

2. In the event of the ship referred to in Paragraph 1 of this Regulation being abandoned, or in the event of a report from such ship being incomplete or unobtainable, the owner, charterer, manager or operator of the ship, or their agents shall, to the fullest extent possible assume the obligations placed upon the Master under the provisions of this Appendix.

Regulation 2. METHODS OF REPORTING

1. Each report shall be made by radio whenever possible, but in any case by the fastest channels available at the time the report is made. Reports made by radio shall be given the highest possible priority.

2. Reports shall be directed to the appropriate officer or agency referred to in Sub-Paragraph 1c) of Regulation 9 of Annex VI of the present Convention.

Regulation 3. WHEN TO MAKE REPORTS

The report shall be made whenever an incident involves:

a) A discharge other than as permitted under the present Convention; or

b) A discharge permitted under the present Convention by virtue of the fact that:

(i) It is for the purpose of securing the safety of a ship or saving life at sea; or

(ii) It results from damage to the ship or its equipment; or

c) A discharge of a harmful substance for the purpose of combatting a specific pollution incident or for purposes of legitimate scientific research into pollution abatement or control; or

d) The probability of a discharge referred to in Sub-Paragraph a), b), or c) of this Regulation.

Regulation 4. CONTENTS OF REPORT

1. Each report shall contain in general:

a) The identity of ship;

b) The time and date of the occurrence of the incident;

c) The geographical position of the ship when the incident occurred;

d) The wind and sea conditions prevailing at the time of the incident; and

e) Relevant details respecting the condition of the ship.

2. Each report shall contain, in particular:

a) A clear indication or description of the harmful substances involved, including, if possible, the correct technical names of such substances (trade names should not be used in place of the correct technical names);

b) A statement or estimate of the quantities, concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea;

c) Where relevant, a description of the packaging and identifying marks; and

d) If possible the name of the consignor, consignee or manufacturer.

3. Each report shall clearly indicate whether the harmful substance discharged, or likely to be discharged is oil, a noxious liquid substance, a noxious solid substance, or a noxious gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.

4. Each report shall be supplemented as necessary by any other relevant information requested by a recipient of the report or which the person sending the report deems appropriate.

Regulation 5. SUPPLEMENTARY REPORT

Any person who is obliged under the provisions of this Appendix to send a report shall, when possible:

a) Supplement the initial report, as necessary, with information concerning further developments; and

b) Comply as fully as possible with requests from affected States for additional information concerning the incident.

AMENDMENTS TO PARAGRAPH B OF REGULATION 4 OF ANNEX IV OF THE CONVENTION OF 22 MARCH 1974¹ ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE BALTIC SEA AREA

The amendments were adopted in the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 1 December 1980, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

Paragraph B of Regulation 4 of Annex IV of the Convention is amended, starting from and including Sub-Paragraph 2, to read as follows:

“2. Subject to the provisions of Paragraph C of this Regulation, any discharge into the sea of oil or oily mixture from a ship of less than 400 tons gross tonnage, other than an oil tanker, shall be prohibited while in the Baltic Sea Area, except when the oil content of the effluent without dilution does not exceed 15 parts per million or alternatively when all of the following conditions are satisfied:

- “ (i) The ship is proceeding en route;
- “ (ii) The oil content of the effluent is less than 100 parts per million; and
- “(iii) The discharge is made as far as practicable from the land, but in no case less than 12 nautical miles from the nearest land.

“3. a) The provisions of Sub-Paragraphs 1 and 2 of this Paragraph shall not apply to the discharge of clean or segregated ballast.

“b) The provisions of Sub-Paragraph 1 of this Paragraph shall not apply to the discharge of processed bilge water from machinery spaces, provided that all of the following conditions are satisfied:

- “ (i) The bilge water does not originate from cargo pump;
- “ (ii) The bilge water is not mixed with oil cargo residues;
- “(iii) The ship is proceeding en route;
- “(iv) The oil content of the effluent without dilution does not exceed 15 parts per million;
- “ (v) The ship has in operation an oily-water separating system and an effective filtering system, or an equivalent equipment, approved by the Administration;
- “(vi) The system or equipment is such that it will produce an effluent the oil content of which does not exceed 15 parts per million, and is provided with alarm arrangements to indicate when this level cannot be maintained, as well as a stopping device which will ensure that the discharge is automatically stopped when the oil content of the effluent exceeds 15 parts per million.

¹ See p. 168 of this volume.

“4. a) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or chemicals or other substances introduced for the purpose of circumventing the conditions of discharge specified in this Regulation.

“b) The oil residues which cannot be discharged into the sea in compliance with Sub-Paragraphs 2 or 3b) of this Paragraph shall be retained on board or discharged to reception facilities.

“5. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, the Contracting Parties should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this Regulation. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of the visible traces in the vicinity, and any relevant oil discharge records.”

Certified statement was registered by Finland on 22 June 1988.

AMENDMENTS TO REGULATION 5 OF ANNEX IV OF THE CONVENTION OF 22 MARCH 1974¹ ON THE PROTECTION OF THE MARINE ENVIRONMENT OF THE BALTIC SEA AREA

The amendments were adopted by the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 3 May 1981, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

The preambular part of Regulation 5 of Annex IV of the Convention is amended to read as follows:

“The provisions of this Regulation shall apply from 1 July 1984.”

Certified statement was registered by Finland on 22 June 1988.

¹ See p. 168 of this volume.

AMENDMENTS TO ANNEX I OF THE CONVENTION OF 22 MARCH
1974¹ ON THE PROTECTION OF THE MARINE ENVIRONMENT
OF THE BALTIC SEA AREA

The amendments were adopted by the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 1 March 1984, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

Annex I of the Convention is amended by insertion of a third sub-paragraph which reads as follows:

“3. PCT’s (polychlorinated terphenyls).”

Certified statement was registered by Finland on 22 June 1988.

¹ See p. 168 of this volume.

AMENDMENTS TO REGULATION 5 OF ANNEX IV OF THE CON-
VENTION OF 22 MARCH 1974¹ ON THE PROTECTION OF THE
MARINE ENVIRONMENT OF THE BALTIC SEA AREA

The amendments were adopted by the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 1 July 1984, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

The preambular part of Regulation 5 of Annex IV of the Convention is amended to read as follows:

“The provisions of this Regulation shall apply from 1 January 1986.”

Certified statement was registered by Finland on 22 June 1988.

¹ See p. 168 of this volume.

AMENDMENTS TO ANNEX IV OF THE CONVENTION OF 22 MARCH 1974¹ ON THE PROTECTION OF THE MARINE ENVI- RONMENT OF THE BALTIC SEA AREA

The amendments were adopted by the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 1 January 1986, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

1. Sub-Paragraph 1 of Paragraph G of Regulation 5 of Annex IV of the Helsinki Convention is amended to read as follows:

“1. Every ship to which this Regulation applies shall be provided with a Cargo Record Book, whether as part of the ship’s official log book or otherwise, in the form recommended by the Commission.”

2. Sub-Paragraph 2 of Paragraph G of Regulation 5 of Annex IV of the Helsinki Convention is amended to read as follows:

“2. The Cargo Record Book shall be completed, on a tank-to-tank basis, whenever any of the following operations with respect to a noxious liquid substance takes place in the ship:

- “(i) Loading of cargo (substances of Category A, B, C and D);
- “(ii) Internal transfer of cargo;
- “(iii) Unloading of cargo;
- “(iv) Cleaning of cargo tanks;
- “(v) Ballasting of cargo tanks;
- “(vi) Discharge of ballast from cargo tanks;
- “(vii) Disposal of residues;
- “(viii) Discharge into the sea in accordance with Paragraph D of this Regulation.”

3. Sub-Paragraph 6 of Paragraph G of Regulation 5 of Annex IV of the Helsinki Convention is amended to read as follows:

“6. The Cargo Record Book shall be kept in such a place as to be readily available for inspection, and, except in the case of unmanned ships under tow, shall be kept on board the ship. It shall be retained for a period of three years after the last entry has been made.”

4. Appendix V of Annex IV of the Helsinki Convention is deleted.

Certified statement was registered by Finland on 22 June 1988.

¹ See p. 168 of this volume.

AMENDMENTS TO ANNEXES IV AND VI OF THE CONVENTION
OF 22 MARCH 1974¹ ON THE PROTECTION OF THE MARINE
ENVIRONMENT OF THE BALTIC SEA AREA

The amendments were adopted by the Baltic Marine Environment Protection Commission and communicated to the Contracting Parties. They came into force on 6 April 1987, in accordance with the provisions of article 24 (1) and (2).

The amendments read as follows:

Annex IV

Regulation 1 of Annex IV of the Convention is amended to read as follows:

“Regulation 1

“The Contracting Parties shall, in matters concerning the protection of the Baltic Sea Area from pollution by ships, co-operate

“a) Within the International Maritime Organization, in particular in promoting the development of international rules,

“b) In the effective and harmonized implementation of rules adopted by the International Maritime Organization.”

Regulation 2 of Annex IV of the Convention is amended to read as follows:

“Regulation 2

“The Contracting Parties shall, without prejudice to Paragraph 4 of Article 4 of the present Convention, as appropriate assist each other in investigating violations of the existing legislation on anti-pollution measures, which have occurred or are suspected to have occurred within the Baltic Sea Area. This assistance may include but is not limited to inspection by the competent authorities of oil record books, cargo record books, log books and engine log books and taking oil samples for analytical identification purposes.”

In Regulation 3 of Annex IV of the Convention the following new Paragraph 6 is added:

“Regulation 3

“6. The term “MARPOL 73/78” means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.”²

Regulation 4 of Annex IV of the Convention is amended to read as follows:

“Regulation 4. OIL

“The Contracting Parties, also being parties to MARPOL 73/78, apply in conformity with that agreement the provisions of Annex I to MARPOL 73/78 for the prevention of pollution by oil.”

¹ See p. 168 of this volume.

² United Nations, *Treaty Series*, vol. 1340, p. 61.

Regulation 5 of Annex IV of the Convention is amended to read as follows:

“Regulation 5. NOXIOUS LIQUID SUBSTANCES

“The Contracting Parties, also being parties to MARPOL 73/78, apply in conformity with that agreement the provisions of Annex II to MARPOL 73/78 for the prevention of pollution by noxious liquid substances carried in bulk.”

Appendices I to IV to Annex IV of the Helsinki Convention are deleted.

Annex VI

Regulation 5 of Annex VI of the Convention is amended to read as follows:

“Regulation 5

“1. The Contracting Parties, also being parties to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), apply in conformity with that agreement the provisions of Article 8 and Protocol I to MARPOL 73/78 on reports on incidents involving harmful substances. These provisions shall also be applied with regard to significant spillages of oil or other harmful substances in cases not covered by Article 8 of MARPOL 73/78.

“2. The Contracting Parties shall request masters of ships and pilots of aircraft to report without delay in accordance with this system on significant spillages of oil or other harmful substances observed at sea. Such reports should as far as possible contain the following data: time, position, wind and sea conditions, and kind, extent and probable source of the spill observed.”

The Appendix to Annex VI is deleted.

Certified statement was registered by Finland on 22 June 1988.