

第 9/2021 號行政長官公告

Aviso do Chefe do Executivo n.º 9/2021

國際海事組織海上環境保護委員會於二零一五年五月十五日透過第MEPC.265 (68) 號決議，通過了《1973年國際防止船舶造成污染公約的1978年議定書》附則的修正案，使適用《國際極地水域運作船舶規則》（《極地規則》）有關環境的規定具有強制性。該修正案於二零一七年一月一日在國際法律秩序上生效，包括對澳門特別行政區生效；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈包含上指修正案的國際海事組織海上環境保護委員會第MEPC.265 (68) 號決議的中文和英文正式文本。

二零二一年三月八日發佈。

行政長官 賀一誠

Considerando que, em 15 de Maio de 2015, o Comité de Protecção do Meio Marinho da Organização Marítima Internacional (OMI), através da resolução MEPC.265(68), adoptou emendas ao Anexo do Protocolo de 1978 relativo à Convenção Internacional para a Prevenção da Poluição por Navios, 1973, tornando obrigatória a aplicação das disposições ambientais previstas no Código Internacional para os Navios que Operam em Águas Polares (Código Polar), e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a Região Administrativa Especial de Macau, em 1 de Janeiro de 2017;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), a resolução MEPC.265(68) do Comité de Protecção do Meio Marinho da OMI, que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 8 de Março de 2021.

O Chefe do Executivo, *Ho Iat Seng*.

第 MEPC.265 (68) 號決議**(2015 年 5 月 15 日通過)****《1973 年國際防止船舶造成污染公約的 1978 年議定書》附則的修正案****《防污公約》附則 I、II、IV 和 V 的修正案****(使適用《極地規則》有關環境的規定具有強制性)**

海上環境保護委員會，

憶及《國際海事組織公約》有關防止和控制船舶造成海洋污染的國際公約賦予海上環境保護委員會的職能的第三十八條第（一）款，

注意到《經 1978 年議定書修訂的 1973 年國際防止船舶造成污染公約》（《防污公約》）第 16 條具體規定了修正程序並賦予本組織適當機構審議和通過其修正案的職能，

認識到由於超出《防污公約》及其他約束性國際海事組織文書現有要求的、對極地水域中營運的船舶、其系統和作業的附加要求，有必要為其提供一個強制性框架，

注意到第 MEPC.264 (68) 號決議，經該決議，委員會通過了《國際極地水域船舶營運規則（極地規則）》有關環境的規定，

還注意到，海上安全委員會在其第九十四屆會議上，以第 MSC.385 (94) 號決議通過了《國際極地水域船舶營運規則》有關安全的規定，

並以第 MSC.386 (94) 號決議通過了《1974 年安全公約》的修正案，使《極地規則》有關安全的規定具有強制性，

審議了為使《極地規則》有關環境的規定具有強制性的《防污公約》附則 I、II、IV 和 V 的建議修正案，

1 按照《防污公約》第 16 (2) (d) 條，**通過**附則 I、II、IV 和 V 的修正案，其文本載於本決議附件中；

2 **決定**，按照《防污公約》第 16 (2) (f) (iii) 條，這些修正案將在 2016 年 7 月 1 日視為已被接受，除非在該日期之前，有不少於三分之一的締約國或其商船隊合計總噸位佔世界商船隊總噸位不少於 50% 的締約國通知本組織其反對該修正案；

3 **請**各締約國注意，按照《防污公約》第 16 (2) (g) (ii) 條，上述修正案在按照以上第 2 段被接受後，將於 2017 年 1 月 1 日生效；

4 **要求**秘書長，為《防污公約》第 16 (2) (e) 條之目的，將本決議和附件中所含修正案文本的核證無誤副本發送給所有《防污公約》締約國；

5 **進一步要求**秘書長將本決議及其附件發送給非《防污公約》締約國的本組織會員國。

附件

《防污公約》附則 I、II、IV 和 V 的修正案

附則 I

防止油類污染規則

第 1 章

總則

第 3 條—免除

- 1 在第 1 款中，在“本附則第 3 和 4 章”和“有關構造”之間插入“或《極地規則》第 II-A 部分第 1.2 節”。
- 2 新增第 5.2.2 項如下：

“.2 在北極水域內的航行；或”
- 3 現有第 5.2.2 至 5.2.6 項重新編號為第 5.2.3 至 5.2.7 項，並對各分段相應重新編號。在重新編號的第 5.2.5 和 5.2.6 項中，所提及的段落編號“5.2.2”和“5.2.2.2”分別改為“5.2.3”和“5.2.3.2”。
- 4 新的第 5.2.3 項開頭語由下文替代：

“.3 在特殊區域或北極水域外，距最近陸地 50 海里以內的航行，且該油船是從事：”

第 4 條—例外

- 5 開頭語由下文替代：

“本附則第 15 條和第 34 條以及《極地規則》第 II-A 部分第 1.1.1 項不適用於下述情況：”

第 3 章

對所有船舶機器處所的要求

B 部分

設備

第 14 條—濾油設備

6 第 5.1 款由下文替代：

“.1 任何專門從事特殊區域或北極水域內航行的船舶，或”

7 在第 5.3.4 項中，在“特殊區域”和“內”之間插入“或北極水域”。

C 部分

排油的控制

第 15 條—排油的控制

8 在 A 節標題的末尾新增，“北極水域除外”。

9 在 C 節標題中“南極區域”後新增“和北極水域”。

第 4 章

對油船貨物區域的要求

C 部分

操作性排油的控制

第 34 條—排油的控制

10 在 A 節標題的末尾新增，“北極水域除外”。

第 6 章

接收設施

第 38 條—接收設施

11 在第 2.5 款中，“本附則第 15 條和第 34 條”後新增“和極地規則第 II-A 部分第 1.1:1 款”。

12 在第 3.5 款中，“本附則第 15 條”後新增“和極地規則第 II-A 部分的第 1.1.1 款”。

第 11 章

國際極地水域船舶營運規則

13 現有第 10 章後新增第 11 章如下：

“第 11 章—國際極地水域船舶營運規則

第 46 條—定義

就本附則而言，

1 《極地規則》係指《國際極地水域船舶營運規則》，由引言、第 I-A 部分和 II-A 部分以及第 I-B 部分和 II-B 部分組成，該

規則經第 MSC.385 (94) 和 MEPC.264 (68) 號決議通過並可修正，但：

- .1 《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章的修正案應按本公約第 16 條適用於附則附錄修正程序的規定予以通過、生效和實施；和
- .2 《極地規則》第 II-B 部分的修正案由海上環境保護委員會按其議事規則予以通過。

2 北極水域係指位於北緯 58°00′.0 和西經 042°00′.0 至北緯 64°37′.0，西經 035°27′.0 連線，然後連一條恆向線至北緯 67°03′.9，西經 026°33′.4，之後沿恆向線至北緯 70°49′.56 和西經 008°59′.61 (Sørkapp, Jan Mayen)，之後沿 Jan Mayen 南岸至 Bjørnøya 島的北緯 73°31′.6 和東經 019°01′.0，然後沿大圓線至北緯 68°38′.29 和東經 043°23′.08 (Cap Kanin Nos)，然後自亞洲大陸北岸向東至白令海峽，然後自白令海峽向西至北緯 60° 直至 II'pyrskiy，沿北緯 60° 向東至和包括 Etolin 海峽，然後經北美大陸北岸向南至北緯 60°，然後向東沿北緯 60° 至西經 56°37′.1，然後至北緯 58°00′.0，西經 042°00′.0 以北的水域。

3 極地水域係指北極水域和（或）南極區域。

第 47 條 – 適用範圍和要求

- 1 本章適用於在極地水域營運的所有船舶。
- 2 除另有明文規定外，本條第 1 款涵蓋的任何船舶須符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章以及本附則任何其他適用要求。

- 3 適用《極地規則》第 II-A 部分第 1 章時，應考慮到《極地規則》第 II-B 部分中的附加指南。”

附錄 II

國際防止油類污染（IOPP）證書和補頁格式

附錄

國際防止油類污染證書（IOPP 證書）附件—格式 A

- 14 在現有第 7 節之後新增第 8 節如下：

“8 符合《極地規則》第 II-A 部分第 1 章

- 8.1 船舶符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章第 1.2 節的附加要求……………□”

國際防止油類污染證書（IOPP 證書）附件—格式 B

- 15 在現有第 10 節之後新增第 11 節如下：

“11 符合《極地規則》第 II-A 部分第 1 章

- 11.1 船舶符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章第 1.2 節的附加要求。”

附則 II

控制散裝有毒液體物質污染的規則

第 1 章

總則

第 3 條－例外

- 1 在第 1 款開頭語中，“本附則”和“的排放要求”之間插入“和《極地規則》第 II-A 部分第 2 章”。

第 6 章

港口國監督措施

第 16 條－監督措施

- 2 在第 3 款中，“第 13 條和本條”由“第 13 條和本條，及當船舶在北極水域營運時，《極地規則》第 II-A 部分第 2 章”替代。

第 10 章

國際極地水域船舶營運規則

- 3 在現有第 9 章之後新增第 10 章如下：

“第 10 章－國際極地水域船舶營運規則

第 21 條－定義

就本附則而言，

- 1 《極地規則》係指《國際極地水域船舶營運規則》，由引言、第 I-A 部分和 II-A 部分以及第 I-B 部分和 II-B 部分組成，該規則由第 MSC.385 (94) 和 MEPC.264 (68) 號決議通過並可修正，但：

- .1 《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章的修正案應按本公約第 16 條適用於附則附錄修正程序的規定予以通過、生效和實施；和
- .2 《極地規則》第 II-B 部分的修正案由海上環境保護委員會按其議事規則予以通過。

2 北極水域係指位於北緯 58°00′.0 和西經 042°00′.0 至北緯 64°37′.0，西經 035°27′.0 的連線，然後連一條恆向線至北緯 67°03′.9，西經 026°33′.4，之後沿恆向線至北緯 70°49′.56 和西經 008°59′.61 (Sørkapp, Jan Mayen)，之後沿 Jan Mayen 南岸至 Bjørnøya 島的北緯 73°31′.6 東經 019°01′.0，然後沿大圓線至北緯 68°38′.29 和東經 043°23′.08 (Cap Kanin Nos)，然後自亞洲大陸北岸向東至白令海峽，然後自白令海峽向西至北緯 60° 直至 II'pyrskiy，沿北緯 60° 向東至和包括 Etolin 海峽，然後經北美大陸北岸向南至北緯 60°，然後向東沿北緯 60° 至西經 56°37′.1，然後至北緯 58°00′.0 西經 042°00′.0 以北的水域。

3 極地水域係指北極水域和（或）南極區域。

第 22 條—適用範圍和要求

- 1 本章適用於經核准載運散裝有毒液體物質並在極地水域營運的所有船舶。
- 2 除另有明文規定外，本條第 1 款涵蓋的任何船舶須符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 2 章以及本附則任何其他適用要求。
- 3 適用《極地規則》第 II-A 部分第 2 章時，應考慮到《極地

規則》第 II-B 部分中的附加指南。”

附錄 IV

程序與佈置手冊的標準格式

第 1 節－《防污公約》附則 II 的主要特點

4 在第 1.3 段的末尾新增“此外，根據《極地規則》第 II-A 部分第 2 章，更為嚴格的排放標準適用於北極水域。”。

第 4 節－關於液貨艙清洗、殘餘物排放、加壓載和排壓載的程序

5 在第 4.4.3 段中，“南極區域（南緯 60° 以南海域）”由“極地水域”替代。

附則 IV

防止船舶生活污水污染規則

第 1 章

總則

第 3 條－例外

1 第 1 款的開頭語由下文替代：

“1 本附則第 11 條和《極地規則》第 II-A 部分第 4 章的第 4.2 節不適用於下述情況：”

第 7 章

國際極地水域船舶營運規則

2 現有第 6 章後新增第 7 章如下：

“第 7 章—國際極地水域船舶營運規則

第 17 條—定義

就本附則而言，

1 《極地規則》係指《國際極地水域船舶營運規則》，由引言、第 I-A 部分和第 II-A 部分以及第 I-B 部分和 II-B 部分組成，該規則經第 MSC.385 (94) 和 MEPC.264 (68) 號決議通過並可修正，但：

- .1 《極地規則》引言中與環境相關的規定和第 II-A 部分第 1 章的修正案應按本公約第 16 條適用於附則附錄修正程序的規定予以通過、生效和實施；和
- .2 《極地規則》第 II-B 部分的修正案由海上環境保護委員會按其議事規則予以通過。

2 南極區域係指南緯 60° 以南海域。

3 北極水域係指位於北緯 58°00'.0 和西經 042°00'.0 至北緯 64°37'.0，西經 035°27'.0 的連線，然後連一條恆向線至北緯 67°03'.9，西經 026°33'.4，之後沿恆向線至北緯 70°49'.56 和西經 008°59'.61 (Sørkapp, Jan Mayen)，之後沿 Jan Mayen 南岸至 Bjørnøya 島的北緯 73°31'.6 東經 019°01'.0，然後沿大圓線至北緯 68°38'.29 和東經 043°23'.08 (Cap Kanin Nos)，然後自亞洲大陸

北岸向東至白令海峽，然後自白令海峽向西至北緯 60° 直至 II'pyrskiy，沿北緯 60° 向東至和包括 Etolin 海峽，然後經北美大陸北岸向南至北緯 60°，然後向東沿北緯 60° 至西經 56°37'.1，然後至北緯 58°00'.0 西經 042°00'.0 以北的水域。

4 極地水域係指北極水域和（或）南極區域。

第 18 條 – 適用範圍和要求

- 1 本章適用於按本附則經核准在極地水域營運的所有船舶。
- 2 除另有明文規定外，本條第 1 款涵蓋的任何船舶須符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 4 章以及本附則任何其他適用要求。”

附則 V

防止船舶垃圾污染規則

第 1 章

總則

第 3 條 – 禁止排放垃圾入海的一般規定

- 1 在第 1 款中，提及“本附則第 4、5、6 和 7 條規定”由“本附則第 4、5、6 和 7 條以及本附則第 13.1 條界定的《極地規則》的第 II-A 部分第 5.2 款規定”替代。

第 7 條 – 例外

- 2 第 1 款的開頭語由下文替代：

“本附則第 3、4、5 和 6 條以及《極地規則》第 II-A 部分第 5 章第 5.2 節不適用於下述情況：”

3 第 2.1 款由下文替代：

“.1 如將食品廢棄物留存在船上顯然會給船上人員造成即將出現的健康風險，則本附則第 4 和 6 條及《極地規則》第 II-A 部分第 5 章的航行途中要求不適用於這些食品廢棄物的排放。”

第 10 條—告示牌、垃圾管理計劃和保持垃圾記錄

4 在第 1.1 款中，“本附則第 3、4、5 和 6 條”後新增“及《極地規則》第 II-A 部分第 5.2 節”。

第 3 章

國際極地水域船舶營運規則

5 新增第 3 章如下：

“第 3 章—國際極地水域船舶營運規則

第 13 條—定義

就本附則而言，

1 《極地規則》係指《國際極地水域船舶營運規則》，由引言、第 I-A 部分和第 II-A 部分以及第 I-B 部分和第 II-B 部分組成，該規則經第 MSC.385 (94) 和 MEPC.264 (68) 號決議通過並可修正，但：

.1 《極地規則》引言中與環境相關的規定和第 II-A 部分

第 1 章的修正案應按本公約第 16 條適用於附則附錄修正程序的規定予以通過、生效和實施；和

.2 《極地規則》第 II-B 部分的修正案由海上環境保護委員會按其議事規則予以通過。

2 北極水域係指位於北緯 58°00′.0 和西經 042°00′.0 至北緯 64°37′.0，西經 035°27′.0 的連線，然後連一條恆向線至北緯 67°03′.9，西經 026°33′.4，之後沿恆向線至北緯 70°49′.56 和西經 008°59′.61 (Sørkapp, Jan Mayen)，之後沿 Jan Mayen 南岸至 Bjørnøya 島的北緯 73°31′.6 東經 019°01′.0，然後沿大圓線至北緯 68°38′.29 和東經 043°23′.08 (Cap Kanin Nos)，然後自亞洲大陸北岸向東至白令海峽，然後自白令海峽向西至北緯 60° 直至 II'pyrskiy，沿北緯 60° 向東至和包括 Etolin 海峽，然後經北美大陸北岸向南至北緯 60°，然後向東沿北緯 60° 至西經 56°37′.1，然後至北緯 58°00′.0 西經 042°00′.0 以北的水域。

3 極地水域係指北極水域和（或）南極區域。

第 14 條 – 適用範圍和要求

1 本章適用於本附則所適用的在極地水域營運的所有船舶。

2 除另有明文規定外，本條第 1 款涵蓋的任何船舶須符合《極地規則》引言中與環境相關的規定和第 II-A 部分第 5 章以及本附則任何其他適用要求。

3 適用《極地規則》第 II-A 部分第 5 章時，應考慮到《極地規則》第 II-B 部分中的附加指南。”

附錄

垃圾記錄簿格式

6 第 4.1.3 項的開頭語由下文替代：

“4.1.3 當垃圾按《防污公約》附則 V 第 4、5 或 6 條或《極地規則》第 II-A 部分第 5 章規定排放入海時：”。

RESOLUTION MEPC.265(68)
(adopted on 15 May 2015)

**AMENDMENTS TO THE ANNEX OF THE PROTOCOL OF 1978 RELATING TO
THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF
POLLUTION FROM SHIPS, 1973**

Amendments to MARPOL Annexes I, II, IV and V
(To make use of environment-related provisions of the Polar Code mandatory)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee conferred upon it by international conventions for the prevention and control of marine pollution from ships,

NOTING article 16 of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), which specifies the amendment procedure and confers upon the appropriate body of the Organization the function of considering and adopting amendments thereto,

RECOGNIZING the need to provide a mandatory framework for ships operating in polar waters due to the additional demands on ships, their systems and operation, which go beyond the existing requirements of MARPOL, and other relevant binding IMO instruments,

NOTING resolution MEPC.264(68), by which the Committee adopted the International Code for Ships Operating in Polar Waters (Polar Code) with respect to its environment-related provisions,

NOTING ALSO that the Maritime Safety Committee, at its ninety-fourth session, adopted, by resolution MSC.385(94), the International Code for Ships Operating in Polar Waters with respect to its safety-related provisions, and by resolution MSC.386(94), amendments to the 1974 SOLAS Convention to make the safety-related provisions of the Polar Code mandatory,

HAVING CONSIDERED proposed amendments to MARPOL Annexes I, II, IV and V to make the environment-related provisions of the Polar Code mandatory,

1 ADOPTS, in accordance with article 16(2)(d) of MARPOL, amendments to Annexes I, II, IV and V, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article 16(2)(f)(iii) of MARPOL, that the amendments shall be deemed to have been accepted on 1 July 2016, unless, prior to that date, not less than one third of the Parties or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have communicated to the Organization their objection to the amendments;

3 INVITES the Parties to note that, in accordance with article 16(2)(g)(ii) of MARPOL, the said amendments shall enter into force on 1 January 2017 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, for the purposes of article 16(2)(e) of MARPOL, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to MARPOL;

5 REQUESTS FURTHER the Secretary-General to transmit copies of the present resolution and its annex to Members of the Organization which are not Parties to MARPOL.

ANNEX

AMENDMENTS TO MARPOL ANNEXES I, II, IV AND V

ANNEX I
REGULATIONS FOR THE PREVENTION OF POLLUTION BY OILChapter 1
General**Regulation 3 – Exemptions and waivers**

1 In paragraph 1, the words "or section 1.2 of part II-A of the Polar Code" are inserted between "chapters 3 and 4 of this Annex" and "relating to construction".

2 A new paragraph 5.2.2 is added as follows:

".2 voyages within Arctic waters; or"

3 The existing paragraphs 5.2.2 to 5.2.6 are renumbered as paragraphs 5.2.3 to 5.2.7 and the sub-paragraphs are renumbered accordingly. In the renumbered paragraphs 5.2.5 and 5.2.6, the referenced paragraph numbers "5.2.2" and "5.2.2.2" are replaced by "5.2.3" and "5.2.3.2", respectively.

4 The chapeau of the renumbered paragraph 5.2.3 is replaced with the following:

".3 voyages within 50 nautical miles from the nearest land outside special areas or Arctic waters where the tanker is engaged in:"

Regulation 4 – Exceptions

5 The chapeau is replaced with the following:

"Regulations 15 and 34 of this Annex and paragraph 1.1.1 of part II-A of the Polar Code shall not apply to:"

Chapter 3
Requirements for machinery spaces of all shipsPart B
Equipment**Regulation 14 – Oil filtering equipment**

6 Paragraph 5.1 is replaced with the following:

".1 any ship engaged exclusively on voyages within special areas or Arctic waters, or"

7 In paragraph 5.3.4, between the words "within special areas" and "or has been accepted", the words "or Arctic waters" are inserted.

Part C
Control of discharge of oil

Regulation 15 – Control of discharge of oil

- 8 At the end of the title for section A, the words "except in Arctic waters" are added.
- 9 At the end of the title for section C, the words "and Arctic waters" are added.

Chapter 4
Requirements for the cargo area of oil tankers

Part C
Control of operational discharges of oil

Regulation 34 – Control of discharge of oil

- 10 At the end of the title for section A, the words "except in Arctic waters" are added.

Chapter 6
Reception facilities

Regulation 38 – Reception facilities

- 11 In paragraph 2.5, the words "and paragraph 1.1.1 of part II-A of the Polar Code" are added after the words "regulations 15 and 34 of this Annex".
- 12 In paragraph 3.5, the words "and paragraph 1.1.1 of part II-A of the Polar Code" are added after the words "regulation 15 of this Annex".

Chapter 11
International Code for Ships Operating in Polar Waters

- 13 A new chapter 11 is added after existing chapter 10 as follows:

"Chapter 11 – International Code for Ships Operating in Polar Waters

Regulation 46 – Definitions

For the purpose of this Annex,

1 Polar Code means the International Code for Ships Operating in Polar Waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, adopted by resolutions MSC.385(94) and MEPC.264(68), as may be amended, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 1 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and

- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'.0 N and longitude 042°00'.0 W to latitude 64°37'.0 N, longitude 035°27'.0 W and thence by a rhumb line to latitude 67°03'.9 N, longitude 026°33'.4 W and thence by a rhumb line to the latitude 70°49'.56 N and longitude 008°59'.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73°31'.6 N and 019°01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68°38'.29 N and longitude 043°23'.08 E (Cap Kanin Nos) and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60° N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60° N and thence eastward along parallel of latitude 60° N, to longitude 056°37'.1 W and thence to the latitude 58°00'.0 N, longitude 042°00'.0 W.

- 3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 47 – Application and requirements

- 1 This chapter applies to all ships operating in polar waters.
- 2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 1 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.
- 3 In applying chapter 1 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix II Form of IOPP Certificate and Supplements

Appendix

Supplement to the international Oil Pollution Prevention Certificate (IOPP Certificate) – Form A

- 14 A new section 8 is added after existing section 7 as follows:
- "8 Compliance with part II-A – chapter 1 of the Polar Code
- 8.1 The ship is in compliance with additional requirements in the environment-related provisions of the Introduction and section 1.2 of chapter 1 of part II-A of the Polar Code.....□ "

Supplement to the international Oil Pollution Prevention Certificate (IOPP Certificate) – Form B

- 15 A new section 11 is added after existing section 10 as follows:
- "11 Compliance with part II-A – chapter 1 of the Polar Code

11.1 The ship is in compliance with additional requirements in the environment-related provisions of the introduction and section 1.2 of chapter I of part II-A of the Polar Code."

**ANNEX II
REGULATIONS FOR THE CONTROL OF POLLUTION OF
NOXIOUS LIQUID SUBSTANCES IN BULK**

**Chapter 1
General**

Regulation 3 – Exceptions

1 In the chapeau of paragraph 1, between the words "this Annex" and "shall not apply", the words "and chapter 2 of part II-A of the Polar Code" are inserted.

**Chapter 6
Measures of control by port States**

Regulation 16 – Measures of control

2 In paragraph 3, the reference to "regulation 13 and of this regulation" is replaced with "regulation 13 and of this regulation, and chapter 2 of part II-A of the Polar Code when the ship is operating in Arctic waters,"

**Chapter 10
International Code for Ships Operating in Polar Waters**

3 A new chapter 10 is added after existing chapter 9 as follows:

**"Chapter 10 – International Code for International Code for Ships Operating in
Polar Waters**

Regulation 21 – Definitions

For the purpose of this Annex,

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions MSC.385(94) and MEPC.264(68), as may be amended, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 2 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'.0 N and longitude 042°00'.0 W to latitude 64°37'.0 N, longitude 035°27'.0 W and thence by a rhumb line to latitude 67°03'.9 N, longitude 026°33'.4 W and thence by a rhumb line to the latitude 70°49'.56 N and longitude 008°59'.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73°31'.6 N and 019°01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68°38'.29 N and longitude 043°23'.08 E (Cap Kanin Nos) and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60° N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60° N and thence eastward along parallel of latitude 60° N, to longitude 056°37'.1 W and thence to the latitude 58°00'.0 N, longitude 042°00'.0 W.

3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 22 – Application and requirements

1 This chapter applies to all ships certified to carry noxious liquid substances in bulk, operating in polar waters.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 2 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.

3 In applying chapter 2 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix IV Standard format for the Procedures and Arrangements Manual

Section 1 – Main features of MARPOL Annex II

4 At the end of paragraph 1.3, the following sentence is added:

"In addition, under chapter 2 of part II-A of the Polar Code, more stringent discharge criteria apply in Arctic waters."

Section 4 – Procedures relating to the cleaning of cargo tanks, the discharge of residues, ballasting and deballasting

5 In paragraph 4.4.3, the words "Antarctic area (the sea area south of latitude 60° S)" are replaced with the words "polar waters".

ANNEX IV

REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

Chapter 1
General

Regulation 3 – Exceptions

- 1 The chapeau of paragraph 1 is replaced with the following:
"1 Regulation 11 of this Annex and section 4.2 of chapter 4 of part II-A of the Polar Code, shall not apply to:"

Chapter 7
International Code for Ships Operating in Polar Waters

- 2 A new chapter 7 is added after existing chapter 6 as follows:

"Chapter 7 – International Code for Ships Operating in Polar Waters**Regulation 17 – Definitions**

For the purpose of this Annex,

1 *Polar Code* means the International Code for ships operating in polar waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions MSC.385(94) and MEPC.264(68), as may be amended, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 4 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Antarctic area* means the sea area south of latitude 60° S.

3 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'.0 N and longitude 042°00'.0 W to latitude 64°37'.0 N, longitude 035°27'.0 W and thence by a rhumb line to latitude 67°03'.9 N, longitude 026°33'.4 W and thence by a rhumb line to the latitude 70°49'.56 N and longitude 008°59'.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73°31'.6 N and 019°01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68°38'.29 N and longitude 043°23'.08 E (Cap Kanin Nos) and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60° N as far as Il'pyskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60° N and thence eastward along parallel of latitude 60° N, to longitude 056°37'.1 W and thence to the latitude 58°00'.0 N, longitude 042°00'.0 W.

4 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 18 – Application and requirements

1 This chapter applies to all ships certified in accordance with this Annex operating in polar waters.

2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 4 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex."

ANNEX V**REGULATIONS FOR THE PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS****Chapter 1
General****Regulation 3 – General prohibition on discharge of garbage into the sea**

1 In paragraph 1, the reference to "regulation 4, 5, 6 and 7 of this Annex" is replaced with "regulation 4, 5, 6 and 7 of this Annex and section 5.2 of part II-A of the Polar Code, as defined in regulation 13.1 of this Annex."

Regulation 7 – Exceptions

2 The chapeau of paragraph 1 is replaced with the following:

"1 Regulations 3, 4, 5 and 6 of this Annex and section 5.2 of chapter 5 of part II-A of the Polar Code shall not apply to:"

3 Paragraph 2.1 is replaced with the following:

".1 The en route requirements of regulations 4 and 6 of this Annex and chapter 5 of part II-A of the Polar Code shall not apply to the discharge of food wastes where it is clear the retention on board of these food wastes presents an imminent health risk to the people on board."

Regulation 10 – Placards, garbage management plans and garbage record keeping

4 In paragraph 1.1, the words "and section 5.2 of part II-A of the Polar Code" are added after the references to "regulations 3, 4, 5 and 6 of this Annex".

Chapter 3**International Code for Ships Operating in Polar Waters**

5 A new chapter 3 is added as follows:

**"Chapter 3 – International Code for Ships Operating in Polar Waters
Regulation 13 – Definitions**

For the purpose of this Annex,

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction, part I-A and part II-A and parts I-B and II-B, as adopted by resolutions MSC.385(94) and MEPC.264(68), as may be amended, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 5 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.

2 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'.0 N and longitude 042°00'.0 W to latitude 64°37'.0 N, longitude 035°27'.0 W and thence by a rhumb line to latitude 67°03'.9 N, longitude 026°33'.4 W and thence by a rhumb line to the latitude 70°49'.56 N and longitude 008°59'.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73°31'.6 N and 019°01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68°38'.29 N and longitude 043°23'.08 E (Cap Kanin Nos) and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60° N as far as Il'pyskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60° N and thence eastward along parallel of latitude 60° N, to longitude 056°37'.1 W and thence to the latitude 58°00'.0 N, longitude 042°00'.0 W.

3 *Polar waters* means Arctic waters and/or the Antarctic area.

Regulation 14 – Application and requirements

- 1 This chapter applies to all ships to which this Annex applies, operating in polar waters.
- 2 Unless expressly provided otherwise, any ship covered by paragraph 1 of this regulation shall comply with the environment-related provisions of the introduction and with chapter 5 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.
- 3 In applying chapter 5 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."

Appendix Form of Garbage Record Book

- 6 The chapeau of section 4.1.3 is replaced with the following:

"4.1.3 When garbage is discharged into the sea in accordance with regulations 4, 5 or 6 of MARPOL Annex V or chapter 5 of part II-A of the Polar Code:"

二零二一年三月八日於行政長官辦公室

辦公室主任 許麗芳

Gabinete do Chefe do Executivo, aos 8 de Março de 2021. –
A Chefe do Gabinete, *Hoi Lai Fong*.