HELCOM RECOMMENDATION 9/11

Adopted 16 February 1988 having regard to Article 13, Paragraph b) of the Helsinki Convention

RECOMMENDATION CONCERNING GUIDELINES FOR THE ESTABLISHMENT OF NATIONAL COUNTER POLLUTION MEASURES REGARDING PLEASURE CRAFT

THE COMMISSION,

RECALLING Article 8 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1974, (Helsinki Convention), concerning national counter pollution measures regarding pleasure craft,

RECOGNIZING that an increasing number of pleasure craft operate in the Baltic Sea Area,

EXPRESSING ITS CONCERN of the environmental impact of pleasure craft activities,

BEING CONVINCED of the importance of the early initiation of national counter pollution measures regarding pleasure craft,

RECOMMENDS that Governments of the Contracting Parties to the Helsinki Convention, when elaborating national counter pollution measures regarding pleasure craft, take into consideration such items as listed in the Annex to this Recommendation.

ITEMS TO BE CONSIDERED FOR INCLUSION IN NATIONAL COUNTER POLLUTION MEASURES REGARDING PLEASURE CRAFT

General

When elaborating national counter pollution measures regarding pleasure craft the national regulations applicable to ships of less than 400 GRT (cf. MARPOL 73/78, Annex I) and to ships of less than 200 GRT or without a measured gross tonnage and certified to carry 10 persons or less (cf. Regulation 7 of Annex IV of the Helsinki Convention) should be taken into consideration.

It should be kept in mind that national regulations referred to above may contain limits for application leaving discharge of oil and sewage from certain pleasure craft unregulated and that in these cases there is a need to elaborate special measures for such craft.

MARPOL 73/78, Annex I

The following items could be considered for possible inclusion:

- measures to be taken on board to avoid discharges not in compliance with Regulations 10(2)(b) and 10(4)(a),
- equipment on board for collection of lubricating oil and fuel oil according to Regulation 10(4)(b),
- arrangements for discharge of oily residues to reception facilities if retained on board according to Regulation 10(4)(b),
- guidelines for the establishment of reception facilities according to Regulation 10(7)(a)(i).

Regulation 7 of Annex IV of the Helsinki Convention

The following items could be considered for possible inclusion:

- definitions on new and existing ships if other than in Regulation 7 B of Annex IV of the Helsinki Convention,
- application of the discharge provisions in Regulation 7 C to new and existing ships including any equipment requirements,
- arrangements for discharge of sewage to reception facilities,
- guidelines for the establishment of reception facilities according to Regulation 7 E of Annex IV of the Helsinki Convention.

Regulation 8 of Annex IV of the Helsinki Convention

The following items could be considered for possible inclusion:

 guidelines for the establishment of reception facilities according to Regulation 8 E of Annex IV of the Helsinki Convention including reception arrangements for other wastes, such as paints, detergents etc.

Other measures

It could be considered whether other measures to abate harmful effects from pleasure craft activities should be included, such as measures related to nature conservation aspects.

Attachment

The Attachment identifies those provisions of MARPOL 73/78, Annex I, which are applicable to pleasure craft as well as those provisions of MARPOL 73/78, Annexes IV and V, which would be applicable to pleasure craft if these Annexes were in force. It has been worked out under the assumption that pleasure craft has a tonnage of less than 400 GRT.

The Attachment is intended to serve *only* as a reminder when elaborating national counter pollution measures regarding pleasure craft.

ATTACHMENT

MARPOL 73/78, Annex I

Regulation 2(1) Application - all ships unless expressly provided

otherwise

Regulation 4(2) Surveys and Inspections - the Administrations shall

establish appropriate measures for ships which are not subject to Regulation 4(1) (i.e. oil tankers less than 150 GRT and other ships less than 400 GRT) in order to ensure that the applicable

provisions of Annex I are complied with.

Regulation 10(2)(b) Discharge provisions for ships of less than 400 GRT

other than oil tankers - 15 ppm criterion or 100 ppm criterion with speed and distance from land requirements (obs no

equipment requirements)

Regulation 10(4)(a) Chemicals and other substances - discharges not to

contain such substances in concentrations hazardous to the environment or if introduced in order to circumventing the

discharge provisions

Regulation 10(4)(b) Retention on board - residues to be retained on board and discharged to reception facilities if they cannot be

discharged into the sea in compliance with Regulation 10(2)(b)

Regulation 10(7)(a)(i) Reception facilities - all ports to be provided with adequate reception facilities for other residues (i.e. 2nd sentence

residues other than dirty ballast and tank washing water from oil

tankers) and oily mixtures from all ships

Regulation 11 **Exceptions** - force majeure provisions

Regulation 14(1) and (3) Ballast in fuel oil tanks - prohibited for new ships of 4000 GRT

and above other than oil tankers and in new oil tankers of 150 GRT and above. All other ships to apply these requirements as

far as reasonable and practicable.

Regulation 19 Standard Discharge Connection - discharge from

machinery bilges to reception facilities

Apart from application of Regulation 19 to smaller ships all the above listed provisions could appropriately be applied to pleasure craft and ports serving pleasure craft.

MARPOL 73/78, Annex IV

Regulation 2

Application - ships of 200 GRT and above, ships less than 200 GRT certified to carry more than 10 persons and ships without a measured gross tonnage and certified to carry more than 10 persons. Application dates for new and existing ships according to Paragraph B of Regulation 7 of

Annex IV of the Helsinki Convention

Regulation 3(1)	Surveys - relating to ships under Regulation 2
Regulation 3(2)	Surveys - for other ships. The Administrations shall establish appropriate measures in order to ensure compliance with Annex IV
Regulation 4	Issue of Certificate - if surveyed according to Regulation 3 and the ship is engaged in voyages to ports under the jurisdiction of the Parties to MARPOL 73/78 an ISPPC (1973) should be issued
Regulation 6	Form of Certificate
Regulation 7	Duration of Certificate
Regulation 8	Discharge of Sewage - applicable to ships covered by Regulation 2
Regulation 9	Exceptions - force majeure provisions
Regulation 10	Reception facilities - reception facilities should be provided in ports and should be adequate to meet the needs of ships using them without causing undue delay
Regulation 11	Standard Discharge Connections - for discharge or sewage to a reception facility

Apart from application of Regulations 8 and 11 to small ships certified to carry more than 10 persons the above listed Regulations could appropriately be applied to pleasure craft if covered by Regulation 2, as well as to ports serving pleasure craft.

MARPOL 73/78, Annex V

Regulation 2	Application - all ships
Regulation 5(2)	Disposal of Garbage within Special Areas - disposal provisions applicable to all ships
Regulation 5(4)	Reception Facilities - all ports should be provided with reception facilities according to the needs of ships without causing undue delay

Regulation 6 **Exceptions** - force majeure provisions

All the above listed provisions could appropriately be applied to pleasure craft and to ports serving pleasure craft.