

POLLUTION OF THE SEA BY OIL.

No. 11 of 1960.

An Act relating to the Prevention of the Pollution
of the Sea by Oil.

[Assented to 13th May, 1960.]

WHEREAS a Convention entitled “The International Convention for the Prevention of Pollution of the Sea by Oil, 1954” (being the Convention a copy of the English text of which is set out in the First Schedule to this Act) was prepared and opened for signature and acceptance at an International Conference held in London during the year One thousand nine hundred and fifty-four: Preamble.

AND WHEREAS that Conference adopted certain Resolutions (including the Resolution set out in the Second Schedule to this Act) and submitted them to the Governments concerned for consideration and appropriate action:

AND WHEREAS the Convention has come into force in accordance with Article XV:

AND WHEREAS it is desirable that the Convention should be accepted by Australia and that Australia should give effect to the Convention and to the Resolution set out in the Second Schedule to this Act:

BE it therefore enacted by the Queen’s Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Pollution of the Sea by Oil Act 1960*. Short title.

2. This Act shall come into operation on a date to be fixed by Proclamation, not being earlier than the date on which the Convention is accepted by Australia. Commencement.

Interpretation.

- 3.—(1.) In this Act, unless the contrary intention appears—
- “country to which the Convention applies” means a country declared by the regulations to be a country that has accepted the Convention or a territory so declared to be a territory to which the Convention extends;
 - “discharge” means any discharge or escape, howsoever caused;
 - “mile” means a nautical mile of six thousand and eighty feet;
 - “mixture containing oil” means a mixture of oil with water or any other substance;
 - “oil” and “oily” have the same respective meanings as in the Convention;
 - “ship” includes every vessel used in navigation not ordinarily propelled by oars only;
 - “the Convention” means the Convention a copy of the English text of which is set out in the First Schedule to this Act, and includes that Convention as amended by any amendment accepted by Australia.

(2.) For the purposes of this Act, where any oil or mixture containing oil is discharged from a floating craft (other than a ship) that is attached to a ship, the oil or mixture shall be deemed to have been discharged from that ship.

Saving of other laws.

4. This Act and the regulations shall be read and construed as being in addition to and not in derogation of or in substitution for any other law of the Commonwealth or of a State or Territory of the Commonwealth.

Crown to be bound.

5. This Act binds the Crown in right of the Commonwealth or a State.

Application.

6. Except as otherwise provided by this Act, the ships to which this Act applies are ships registered in Australia.

Discharge of oils, &c., into certain sea areas prohibited.

7.—(1.) Subject to this Act—

(a) if any discharge of oil occurs from a ship to which this Act applies—

- (i) being a tanker—into a part of the sea described in the Third Schedule to this Act; or
- (ii) not being a tanker—into a part of the sea described in the Fourth Schedule to this Act; or

(b) if any discharge of a mixture containing oil occurs from a ship to which this Act applies—

- (i) being a tanker—into a part of the sea described in the Third Schedule to this Act; or

- (ii) not being a tanker—into a part of the sea described in the Fourth Schedule to this Act, with the consequence that the oil in the mixture fouls the surface of the sea,

the owner and the master of the ship are each guilty of an offence against this section.

(2.) The last preceding sub-section does not apply—

- (a) in relation to ships not being tankers—until a date fixed by the Minister by notice published in the *Gazette* as the date on and after which the sub-section shall so apply; and
- (b) in relation to the discharge from the bilges of a tanker of a mixture containing oil—until a date fixed by the Minister by notice published in the *Gazette* as the date on and after which the sub-section shall so apply.

(3.) Subject to this Act, if, before the date fixed under paragraph (a) of the last preceding sub-section but after a date fixed by the Minister by notice published in the *Gazette* as the date on and after which this sub-section shall have effect, any discharge of a mixture containing oil, being oily ballast water or oily tank washings, occurs from a ship to which this Act applies, not being a tanker, into a part of the sea otherwise than as far as practicable from land, the owner and the master of the ship are each guilty of an offence against this section.

(4.) Sub-section (1.) of this section does not apply to the discharge of sediment—

- (a) that cannot be pumped from the cargo tanks of tankers by reason of its solidity; or
- (b) that is residue arising from the purification or clarification of oil fuel or lubricating oil,

if the discharge is made as far from land as is practicable.

(5.) Sub-sections (1.) and (3.) of this section do not apply to the discharge from the bilges of a ship of a mixture containing no oil other than lubricating oil.

(6.) It is a defence if a person charged with an offence against this section proves—

- (a) that the discharge of the oil or mixture containing oil was for the purpose of securing the safety of the ship, of preventing damage to the ship or cargo or of saving life at sea;
- (b) that the oil or mixture containing oil escaped in consequence of damage to the ship or unavoidable leakage and that all reasonable precautions were

taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or reducing the escape of the oil or mixture; or

- (c) that the discharge of the oil or mixture containing oil, being a discharge from a ship other than a tanker, occurred when the ship was proceeding to a port not provided with such reception facilities as are referred to in Article VIII of the Convention.

(7.) In any proceedings for an offence against this section in respect of the discharge of a mixture containing oil—

- (a) if it is proved that there were not less than one hundred parts of oil in one million parts of the mixture, it shall be conclusively presumed that the oil in the mixture fouled the surface of the sea; or
- (b) if it is proved that there were less than one hundred parts of oil in one million parts of the mixture, it shall be conclusively presumed that the oil in the mixture did not foul the surface of the sea.

(8.) The penalty for an offence against this section is a fine not exceeding One thousand pounds.

8.—(1.) For the purpose of ascertaining—

- (a) in the case of a ship registered in Australia—whether the provisions of this Act or of the regulations have been complied with in respect of that ship; or
- (b) in the case of a ship registered in a country to which the Convention applies other than Australia—whether the provisions of the Convention, or of the law of that country giving effect to the Convention, have been complied with in respect of that ship,

a person appointed to be a surveyor under section one hundred and ninety of the *Navigation Act* 1912–1958 or a person authorized by the Minister to act under this section may—

- (c) go on board any ship registered in Australia or in a country to which the Convention applies and inspect the machinery and equipment of the ship and any oil record book carried in the ship; and
- (d) require a person to answer questions.

(2.) A person shall not—

- (a) assault, resist, hinder or obstruct a person in the exercise of his powers under the last preceding sub-section;
- (b) without lawful excuse, refuse to answer a question that he is required under the last preceding sub-section to answer; or
- (c) in answer to such a question, make a statement that is false or misleading in any particular.

Penalty: One hundred pounds.

9.—(1.) Subject to the succeeding provisions of this section— Jurisdiction of courts.

(a) the several courts of the States are invested with federal jurisdiction; and

(b) jurisdiction is conferred on the several courts of the Territories of the Commonwealth, being Territories forming part of the Commonwealth,

with respect to offences against this Act or the regulations.

(2.) The jurisdiction invested in or conferred on courts by the last preceding sub-section is invested or conferred within the limits (other than limits having effect by reference to the places at which offences are committed) of their several jurisdictions, whether those limits are as to subject-matter or otherwise, but subject to the conditions and restrictions specified in paragraphs (a), (b) and (c) of sub-section (2.) of section thirty-nine of the *Judiciary Act* 1903–1959.

(3.) The jurisdiction invested in, or conferred on, a court of summary jurisdiction by this section shall not be judicially exercised except by a Chief, Police, Stipendiary, Resident or Special Magistrate.

(4.) Subject to this Act, the laws of a State or Territory with respect to the arrest and custody of offenders or persons charged with offences and the procedure for—

(a) their summary conviction;

(b) the hearing and determination of appeals arising out of any such conviction or out of any proceedings connected therewith,

and for holding accused persons to bail apply, so far as they are applicable, to a person who is charged in that State or Territory with an offence against this Act or the regulations.

(5.) Except as provided by this section, the *Judiciary Act* 1903–1959 applies in relation to offences against this Act or the regulations.

10. Nothing in this Act shall be taken to subject the Crown in right of the Commonwealth or a State to liability to be prosecuted for an offence, but this section does not affect any liability of the master of a ship of which the Crown is the owner to be so prosecuted. Crown not liable to prosecution.

11. A prosecution for an offence against this Act or the regulations may be brought at any time. No time limit for prosecutions.

12. In any proceedings for an offence against this Act or the regulations— Evidence.

(a) any record kept in pursuance of the regulations is admissible as evidence of the facts stated in the record;

- (b) a copy of an entry in such a record, being a copy certified by the person by whom the record is required to be kept to be a true copy of the entry, is admissible as evidence of the facts stated in the entry; and
- (c) a document purporting to be a record kept in pursuance of the regulations, or purporting to be such a certified copy as is referred to in the last preceding paragraph, shall, unless the contrary is proved, be presumed to be such a record or certified copy, as the case may be.

Regulations.

13.—(1.) The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular—

- (a) for giving effect to Article VII of the Convention;
- (b) for giving effect to Article IX of the Convention;
- (c) for the payment of fees in respect of any matter under this Act or the regulations; and
- (d) prescribing a penalty of a fine not exceeding Five hundred pounds, or of imprisonment for a period not exceeding one year, or of both, for offences against the regulations.

(2.) The Governor-General may make regulations—

- (a) for the amendment of the Third or Fourth Schedule to this Act; and
- (b) for the exemption of all or any of the ships included in a prescribed class of ships from any of the provisions of this Act, either absolutely or subject to conditions.

(3.) Where the Governor-General is satisfied, with respect to the ships included in a class of ships, that effect is given to Article VII or Article IX of the Convention in relation to those ships by or under the laws of the States, the regulations may exempt those ships from compliance with the provisions of the regulations giving effect to Article VII or Article IX, as the case may be.

THE SCHEDULES.

FIRST SCHEDULE.

Preamble and
section 3.

THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION OF THE SEA BY OIL, 1954

London, May 12, 1954

The Governments represented at the International Conference on Pollution of the Sea by Oil held in London from 26th April, 1954, to 12th May, 1954,

Desiring to take action by common agreement to prevent pollution of the sea by oil discharged from ships, and considering that this end may best be achieved by the conclusion of a Convention,

FIRST SCHEDULE—*continued.*

Have accordingly appointed the undersigned plenipotentiaries, who, having communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I

(1) For the purposes of the present Convention, the following expressions shall (unless the context otherwise requires) have the meanings hereby respectively assigned to them, that is to say:—

- “The Bureau” has the meaning assigned to it by Article XXI;
- “Discharge” in relation to oil or to an oily mixture means any discharge or escape howsoever caused;
- “Heavy diesel oil” means marine diesel oil, other than those distillates of which more than 50 per cent. by volume distils at a temperature not exceeding 340°C. when tested by A.S.T.M. Standard Method D.158/53;
- “Mile” means a nautical mile of 6080 feet or 1852 metres;
- “Oil” means crude oil, fuel oil, heavy diesel oil and lubricating oil, and “oily” shall be construed accordingly.

(2) For the purposes of the present Convention the territories of a Contracting Government mean the territory of the country of which it is the Government and any other territory for the international relations of which the Government is responsible and to which the Convention shall have been extended under Article XVIII.

ARTICLE II

The present Convention shall apply to sea-going ships, registered in any of the territories of a Contracting Government, except

- (i) ships for the time being used as naval auxiliaries;
- (ii) ships of under 500 tons gross tonnage;
- (iii) ships for the time being engaged in the whaling industry;
- (iv) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal at Montreal in the Province of Quebec, Canada.

ARTICLE III

(1) Subject to the provisions of Articles IV and V, the discharge from any tanker, being a ship to which the Convention applies, within any of the prohibited zones referred to in Annex A to the Convention in relation to tankers of—

- (a) oil;
- (b) any oily mixture the oil in which fouls the surface of the sea,

shall be prohibited.

For the purposes of this paragraph the oil in an oily mixture of less than 100 parts of oil in 1,000,000 parts of the mixture shall not be deemed to foul the surface of the sea.

(2) Subject to the provisions of Articles IV and V, any discharge into the sea from a ship, being a ship to which the Convention applies and not being a tanker, of oily ballast water or tank washings shall be made as far as practicable from land. As from a date three years after the date on which the Convention comes into force, paragraph (1) of this Article shall apply to ships other than tankers as it applies to tankers, except that:—

- (a) the prohibited zones in relation to ships other than tankers shall be those referred to as such in Annex A to the Convention; and
- (b) the discharge of oil or of an oily mixture from such a ship shall not be prohibited when the ship is proceeding to a port not provided with such reception facilities as are referred to in Article VIII.

(3) Any contravention of paragraphs (1) and (2) of this Article shall be an offence punishable under the laws of the territory in which the ship is registered.

ARTICLE IV

(1) Article III shall not apply to:—

- (a) the discharge of oil or of an oily mixture from a ship for the purpose of securing the safety of the ship, preventing damage to the ship or cargo, or saving life at sea; or
- (b) the escape of oil, or of an oily mixture, resulting from damage to the ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimising the escape;

FIRST SCHEDULE—*continued*

(c) the discharge of sediment:—

(i) which cannot be pumped from the cargo tanks of tankers by reason of its solidity; or

(ii) which is residue arising from the purification or clarification of oil fuel or lubricating oil, provided that such discharge is made as far from land as is practicable.

(2) In the event of such discharge or escape as is referred to in this Article a statement shall be made in the oil record book required by Article IX of the circumstances of and reason for the discharge.

ARTICLE V

Article III shall not apply to the discharge from the bilges of a ship:—

(a) of any oily mixture during the period of twelve months following the date on which the Convention comes into force in respect of the territory in which the ship is registered;

(b) after the expiration of such period, of an oily mixture containing no oil other than lubricating oil.

ARTICLE VI

The penalties which may be imposed in pursuance of Article III under the law of any of the Territories of a Contracting Government in respect of the unlawful discharge from a ship of oil or of an oily mixture into waters outside the territorial waters of that territory shall not be less than the penalties which may be imposed under the law of that territory in respect of the unlawful discharge of oil or of an oily mixture from a ship into such territorial waters.

ARTICLE VII

As from a date twelve months after the present Convention comes into force in respect of any of the territories of a Contracting Government all ships registered in that territory shall be required to be so fitted as to prevent the escape of fuel oil or heavy diesel oil into bilges the contents of which are discharged into the sea without being passed through an oily-water separator.

ARTICLE VIII

As from a date three years after the present Convention comes into force in respect of any of the territories of a Contracting Government, that Government shall ensure the provision in each main port in that territory of facilities adequate for the reception, without causing undue delay to ships, of such residues from oily ballast water and tank washings as would remain for disposal by ships, other than tankers, using the port, if the water had been separated by the use of an oily-water separator, a settling tank or otherwise. Each Contracting Government shall from time to time determine which ports are the main ports in its territories for the purposes of this Article, and shall notify the Bureau in writing accordingly indicating whether adequate reception facilities have been installed.

ARTICLE IX

(1) There shall be carried in every ship to which the Convention applies an oil record book (whether as part of the ship's official log-book or otherwise) in the form specified in Annex B to the present Convention. The appropriate entries shall be made in that book, and each page of the book, including any statement under paragraph (2) of Article IV, shall be signed by the officer or officers in charge of the operations concerned and by the master of the ship. The written entries in the oil record book shall be in an official language of the territory in which the ship is registered, or in English or French.

(2) The competent authorities of any of the territories of a Contracting Government may inspect on board any such ship while within a port in that territory the oil record book required to be carried in the ship in compliance with the provisions of the Convention, and may make a true 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 purports to have been certified by the master of the ship as a true copy of an entry in the ship's oil record book shall be made admissible in any judicial proceedings as evidence of the facts stated in the entry. Any action by the competent authorities under this paragraph shall be taken as expeditiously as possible and the ship shall not be delayed.

ARTICLE X

(1) Any Contracting Government may furnish to the Contracting Government in the territory of which a ship is registered particulars in writing of evidence that any provision of the Convention has been contravened in respect of that ship, wheresoever the alleged

FIRST SCHEDULE—*continued.*

contravention may have taken place. If it is practicable to do so, the competent authorities of the former Government shall notify the master of the ship of the alleged contravention.

(2) Upon receiving such particulars the latter Government shall investigate the matter, and may request the former Government to furnish further or better particulars of the alleged contravention. If the Government in the territory of which the ship is registered is satisfied that sufficient evidence is available in the form required by law to enable proceedings against the owner or master of the ship to be taken in respect of the alleged contravention, it shall cause such proceedings to be taken as soon as possible, and shall inform the other Contracting Government and the Bureau of the result of such proceedings.

ARTICLE XI

Nothing in the present Convention shall be construed as derogating from the powers of any Contracting Government to take measures within its jurisdiction in respect of any matter to which the Convention relates or as extending the jurisdiction of any Contracting Government.

ARTICLE XII

Each Contracting Government shall send to the Bureau and to the appropriate organ of the United Nations:—

- (a) the text of laws, decrees, orders and regulations in force in its territories which give effect to the present Convention;
- (b) all official reports or summaries of official reports in so far as they show the results of the application of the provisions of the Convention, provided always that such reports or summaries are not, in the opinion of that Government, of a confidential nature.

ARTICLE XIII

Any dispute between Contracting Governments relating to the interpretation or application of the present Convention which cannot be settled by negotiation shall be referred at the request of either party to the International Court of Justice for decision unless the parties in dispute agree to submit it to arbitration.

ARTICLE XIV

(1) The present Convention shall remain open for signature for three months from this day's date and shall thereafter remain open for acceptance.

(2) Governments may become parties to the Convention by—

- (i) signature without reservation as to acceptance;
- (ii) signature subject to acceptance followed by acceptance; or
- (iii) acceptance.

(3) Acceptance shall be effected by the deposit of an instrument of acceptance with the Bureau, which shall inform all Governments that have already signed or accepted the Convention of each signature and deposit of an acceptance and of the date of such signature or deposit.

ARTICLE XV

(1) The present Convention shall come into force twelve months after the date on which not less than ten Governments have become parties to the Convention, including five Governments of countries each with not less than 500,000 gross tons of tanker tonnage.

(2)—(a) For each Government which signs the Convention without reservation as to acceptance or accepts the Convention before the date on which the Convention comes into force in accordance with paragraph (1) of this Article it shall come into force on that date. For each Government which accepts the Convention on or after that date, it shall come into force three months after the date of the deposit of that Government's acceptance.

(b) The Bureau shall, as soon as possible, inform all Governments which have signed or accepted the Convention of the date on which it will come into force.

ARTICLE XVI

(1) Upon the request of any Contracting Government a proposed amendment of the present Convention shall be communicated by the Bureau to all Contracting Governments for consideration.

(2) Any amendment communicated to Contracting Governments for consideration under paragraph (1) of this Article shall be deemed to have been accepted by all Contracting Governments and shall come into force on the expiration of a period of six

FIRST SCHEDULE—*continued.*

months after it has been so communicated, unless any one of the Contracting Governments shall have made a declaration not less than two months before the expiration of that period that it does not accept the amendment.

(3)—(a) A conference of Contracting Governments to consider amendments of the Convention proposed by any Contracting Government shall be convened by the Bureau upon the request of one-third of the Contracting Governments.

(b) Every amendment adopted by such a conference by a two-thirds majority vote of the Contracting Governments represented shall be communicated by the Bureau to all Contracting Governments for their acceptance.

(4) Any amendment communicated to Contracting Governments for their acceptance under paragraph (3) of this Article shall come into force for all Contracting Governments, except those which before it comes into force make a declaration that they do not accept the amendment, twelve months after the date on which the amendment is accepted by two-thirds of the Contracting Governments.

(5) Any declaration under this Article shall be made by a notification in writing to the Bureau which shall notify all Contracting Governments of the receipt of the declaration.

(6) The Bureau shall inform all signatory and Contracting Governments of any amendments which come into force under this Article, together with the date on which such amendments shall come into force.

ARTICLE XVII

(1) The present Convention may be denounced by any Contracting Government at any time after the expiration of a period of five years from the date on which the Convention comes into force for that Government.

(2) Denunciation shall be effected by a notification in writing addressed to the Bureau, which shall notify all the Contracting Governments of any denunciation received and of the date of its receipt.

(3) A denunciation shall take effect twelve months, or such longer period as may be specified in the notification, after its receipt by the Bureau.

ARTICLE XVIII

(1)—(a) Any Government may, at the time of signature or acceptance of the present Convention, or at any time thereafter, declare by notification in writing given to the Bureau that the Convention shall extend to any of the territories for whose international relations it is responsible.

(b) The Convention shall, from the date of the receipt of the notification, or from such other date as may be specified in the notification, extend to the territories named therein.

(2)—(a) Any Contracting Government which has made a declaration under paragraph (1) of this Article may, at any time after the expiration of a period of five years from the date on which the Convention has been so extended to any territory, give notification in writing to the Bureau, declaring that the Convention shall cease to extend to any such territory named in the notification.

(b) The Convention shall cease to extend to any territory mentioned in such notification twelve months, or such longer period as may be specified therein, after the date of receipt of the notification by the Bureau.

(3) The Bureau shall inform all Contracting Governments of the extension of the Convention to any territories under paragraph (1) of this Article, and of the termination of any such extension under paragraph (2) of this Article, stating in each case the date from which the Convention has been, or will cease to be, so extended.

ARTICLE XIX

(1) In case of war or other hostilities, a Contracting Government which considers that it is affected, whether as a belligerent or as a neutral, may suspend the operation of the whole or any part of the present Convention in respect of all or any of its territories. The suspending Government shall immediately give notice of any such suspension to the Bureau.

FIRST SCHEDULE—*continued.*

(2) The suspending Government may at any time terminate such suspension and shall in any event terminate it as soon as it ceases to be justified under paragraph (1) of this Article. Notice of such termination shall be given immediately to the Bureau by the Government concerned.

(3) The Bureau shall notify all Contracting Governments of any suspension or termination of suspension under this Article.

ARTICLE XX

As soon as the present Convention comes into force it shall be registered by the Bureau with the Secretary-General of the United Nations.

ARTICLE XXI

The duties of the Bureau shall be carried out by the Government of the United Kingdom of Great Britain and Northern Ireland unless and until the Inter-Governmental Maritime Consultative Organisation comes into being and takes over the duties assigned to it under the Convention signed at Geneva on the 6th day of March, 1948, and thereafter the duties of the Bureau shall be carried out by the said Organisation.

In witness whereof the undersigned plenipotentiaries have signed the present Convention.

Done in London this twelfth day of May, 1954, in English and French, both texts being equally authoritative, in a single copy, which shall be deposited with the Bureau and of which the Bureau shall transmit certified copies to all signatory and Contracting Governments.

(Here follow the signatures of the plenipotentiaries of the Contracting Governments on behalf of which the Convention was signed.)

ANNEX A

PROHIBITED ZONES

(1) Subject to paragraph (3) of this Annex, the prohibited zones in relation to tankers shall be all sea areas within 50 miles from land, with the following exceptions:—

(a) The Adriatic Zones

Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of 30 miles from land, excepting only the island of Vis. When the present Convention has been in force for a period of three years the said zones shall each be extended by a further 20 miles in width unless the two Governments agree to postpone such extension. In the event of such an agreement the said Governments shall notify the Bureau accordingly not less than three months before the expiration of such period of three years and the Bureau shall notify all Contracting Governments of such agreement.

(b) The North Sea Zone

The North Sea Zone shall extend for a distance of 100 miles from the coasts of the following countries:—

Belgium,
Denmark,
the Federal Republic of Germany,
the Netherlands,
the United Kingdom of Great Britain and Northern Ireland,

but not beyond the point where the limit of a 100-mile zone off the west coast of Jutland intersects the limit of the 50-mile zone off the coast of Norway.

(c) The Atlantic Zone

The Atlantic Zone shall be within a line drawn from a point on the Greenwich meridian 100 miles in a north-north-easterly direction from the Shetland Islands; thence northwards along the Greenwich meridian to latitude 64° north; thence westwards along the 64th parallel to longitude 10° west; thence to latitude 60° north, longitude 14° west; thence to latitude 54° 30' north, longitude 30° west; thence to latitude 44° 20' north, longitude 30° west; thence to latitude 48° north, longitude 14° west; thence eastwards along the 48th parallel to a point of intersection with the 50-mile zone off the coast of France. Provided that in relation to voyages which do not extend seawards beyond the Atlantic Zone as defined above, and which are to ports not provided with adequate facilities for the reception of oily residue, the Atlantic Zone shall be deemed to terminate at a distance of 100 miles from land.

FIRST SCHEDULE—*continued.*

(d) *The Australian Zone*

The Australian Zone shall extend for a distance of 150 miles from the coasts of Australia, except off the north and west coasts of the Australian mainland between the point opposite Thursday Island and the point on the west coast at 20° south latitude.

(2) Subject to paragraph (3) of this Annex the prohibited zones in relation to ships other than tankers shall be all sea areas within 50 miles from land with the following exceptions:—

(a) *The Adriatic Zones*

Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of 20 miles from land, excepting only the island of Vis. After the expiration of a period of three years following the application of prohibited zones to ships other than tankers in accordance with paragraph (2) of Article III the said zones shall each be extended by a further 30 miles in width unless the two Governments agree to postpone such extension. In the event of such an agreement the said Governments shall notify the Bureau accordingly not less than three months before the expiration of such period of three years, and the Bureau shall notify all Contracting Governments of such agreement.

(b) *The North Sea and Atlantic Zones*

The North Sea and Atlantic Zones shall extend for a distance of 100 miles from the coasts of the following countries:—

- Belgium
- Denmark
- the Federal Republic of Germany
- Ireland
- the Netherlands
- the United Kingdom of Great Britain and Northern Ireland,

but not beyond the point where the limit of a 100-mile zone off the west coast of Jutland intersects the limit of the 50-mile zone off the coast of Norway.

(3)—(a) Any Contracting Government may propose:—

- (i) the reduction of any zone off the coast of any of its territories;
- (ii) the extension of any such zone to a maximum of 100 miles from any such coast,

by making a declaration to that effect and the reduction or extension shall come into force after the expiration of a period of six months after the declaration has been made, unless any one of the Contracting Governments shall have made a declaration not less than two months before the expiration of that period that its interests are affected either by reason of the proximity of its coasts or by reason of its ships trading in the area, and that it does not accept the reduction or extension, as the case may be.

(b) Any declaration under this paragraph shall be made by a notification in writing to the Bureau which shall notify all Contracting Governments of the receipt of the declaration.

ANNEX B

FORM OF OIL RECORD BOOK

1.—For Tankers

| DATE OF ENTRY | | | | | |
|--|----|-------|-------|-------|-------|
| <i>(a) Ballasting of and discharge of ballast from cargo tanks</i> | | | | | |
| 1. Identity numbers of tank(s) . . . . . | .. | ..... | ..... | ..... | ..... |
| 2. Type of oil previously contained in tank(s) .. | .. | ..... | ..... | ..... | ..... |
| 3. Date and place of ballasting . . . . . | .. | ..... | ..... | ..... | ..... |
| 4. Date and time of discharge of ballast water .. | .. | ..... | ..... | ..... | ..... |
| 5. Place or position of ship . . . . . | .. | ..... | ..... | ..... | ..... |
| 6. Approximate amount of oil-contaminated water transferred to slop tank(s) .. | .. | ..... | ..... | ..... | ..... |
| 7. Identity numbers of slop tank(s) . . . . . | .. | ..... | ..... | ..... | ..... |

FIRST SCHEDULE—continued.
 ANNEX B—continued.
 FORM OF OIL RECORD BOOK—continued.
 I.—For Tankers—continued.

| DATE OF ENTRY | | | | | |
|--|--|--|--|--|--|
| <i>(b) Cleaning of cargo tanks</i> | | | | | |
| 8. Identity numbers of tank(s) cleaned | | | | | |
| 9. Type of oil previously contained in tank(s) | | | | | |
| 10. Identity numbers of slop tank(s) to which washings transferred | | | | | |
| 11. Dates and times of cleaning | | | | | |
| <i>(c) Settling in slop tank(s) and discharge of water</i> | | | | | |
| 12. Identity numbers of slop tank(s) | | | | | |
| 13. Period of settling (in hours) | | | | | |
| 14. Date and time of discharge of water | | | | | |
| 15. Place or position of ship | | | | | |
| 16. Approximate quantities of residue | | | | | |
| <i>(d) Disposal from ship of oily residues from slop tank(s) and other sources</i> | | | | | |
| 17. Date and method of disposal | | | | | |
| 18. Place or position of ship | | | | | |
| 19. Sources and approximate quantities | | | | | |

.....Signature of Officer or Officers
in charge of the operations concerned
Signature of Master

II.—For Ships Other Than Tankers

| DATE OF ENTRY | | | | | |
|---|--|--|--|--|--|
| <i>(a) Ballasting, or cleaning during Voyage, of bunker fuel tanks</i> | | | | | |
| 1. Identity number of tank(s) | | | | | |
| 2. Type of oil previously contained in tank(s) | | | | | |
| 3. Date and place of ballasting | | | | | |
| 4. Date and time of discharge of ballast or washing water | | | | | |
| 5. Place or position of ship | | | | | |
| 6. Whether separator used: if so, give period of use | | | | | |
| 7. Disposal of oily residue retained on board | | | | | |
| <i>(b) Disposal from ship of oily residues from bunker fuel tanks and other sources</i> | | | | | |
| 8. Date and method of disposal | | | | | |
| 9. Place or position of ship | | | | | |
| 10. Sources and approximate quantities | | | | | |

.....Signature of Officer or Officers
in charge of the operations concerned
Signature of Master

FIRST SCHEDULE—*continued.*

ANNEX B—*continued.*

FORM OF OIL RECORD BOOK—*continued.*

III.—*For All Ships*

| DATE OF ENTRY | | | | | |
|--|----|----|----|----|----|
| <i>Accidental and other exceptional discharges or escapes of oil</i> | | | | | |
| 1. Date and time of occurrence | .. | .. | .. | .. | .. |
| 2. Place or position of ship | .. | .. | .. | .. | .. |
| 3. Approximate quantity and type of oil | .. | .. | .. | .. | .. |
| 4. Circumstances of discharge or escape and general remarks | .. | .. | .. | .. | .. |

Signature of Officer or Officers
in charge of the operations concerned
Signature of Master

SECOND SCHEDULE.

Preamble.

Resolution 2.

The application of the principles of the Convention so far as is reasonable and practicable to the ships to which the Convention does not apply

The International Conference on Pollution of the Sea by Oil, 1954,

RESOLVE

That the Governments of countries which accept the present Convention should also, by legislation or otherwise, apply the provisions of the Convention so far as is reasonable and practicable to all classes of sea-going ships registered in their territories or belonging to them to which the provisions of the Convention do not apply, that is to say, warships and other unregistered ships, ships used for the time being as naval auxiliaries, ships of under 500 tons gross tonnage, and ships for the time being engaged in the whaling industry.

THIRD SCHEDULE.

Section 7.

PROHIBITED AREAS FOR TANKERS

All areas of the sea that constitute a prohibited zone under paragraph (1) of Annex A to the Convention, but not including any part of the Territorial waters of Australia.

FOURTH SCHEDULE.

Section 7.

PROHIBITED AREAS FOR SHIPS OTHER THAN TANKERS

All areas of the sea that constitute a prohibited zone under paragraph (2) of Annex A to the Convention, but not including any part of the Territorial waters of Australia.