

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3770 of 4 March, 2010

LEGAL NOTICE NO. 45 OF 2010.

GIBRALTAR MERCHANT SHIPPING (SAFETY, ETC) ACT, 1993

**GIBRALTAR MERCHANT SHIPPING (PORT WASTE RECEPTION
FACILITIES) (AMENDMENT) REGULATIONS 2010**

In exercise of the powers conferred upon it by sections 98 and 118 of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993 and all other enabling powers, the Government, for the purpose of transposing into the law of Gibraltar Commission Directive 2007/71/EC of 13 December 2007 amending Annex II of Directive 2000/59/EC of the European Parliament and the Council on port reception facilities for ship-generated waste and cargo residues, has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Port Waste Reception Facilities) (Amendment) Regulations 2010 and shall come into operation on the day of publication.

Amendment to the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002.

2. The Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002 are amended—

- (a) in regulation 2(1), in the definition of “garbage” by deleting “originating from ships”;
- (b) in regulation 13A, by substituting the following for subregulation (2)—

“(2) A ship may proceed to the next port of call without delivering ship-generated sewage if—

- (a) the master of the ship is not required under regulation 12 to notify information about that sewage; or
- (b) subject to subregulation (3), it follows from the information notified under regulation 12(2) that there is sufficient dedicated storage capacity for all the ship-generated sewage that has been accumulated and will be accumulated during the intended voyage of the ship to the port of delivery.”;
- (c) in regulation 17(1)(b) by inserting “,13A(1)” after “13(1)”;
- (d) in regulation 17(2) by inserting “,13A(1)” after “13(1)”;
- (e) by substituting the following for Schedule 3–

“SCHEDULE 3

Regulation 12(1)

INFORMATION TO BE NOTIFIED

**INFORMATION TO BE NOTIFIED BEFORE ENTRY INTO THE
PORT OF GIBRALTAR**

1. Name, call sign and, where appropriate, IMO identification number of the ship:
2. Flag State:
3. Estimated time of arrival (ETA):
4. Estimated time of departure (ETD):
5. Previous port of call:
6. Next port of call:

7. Last port and date when ship-generated waste and ship-generated sewage was delivered:

8. Are you delivering (tick appropriate box):

all some none

of your waste into port reception facilities?

9. Type and amount of waste, sewage and cargo residues to be delivered and/or remaining on board, and percentage of maximum storage capacity:

If delivering all waste, complete second column as appropriate.

If delivering some or no waste, complete all columns.

Type	Waste to be delivered m ³	Maximum dedicated storage capacity m ³	Amount of waste retained on board m ³	Port at which remaining waste will be delivered	Estimated amount of waste to be generated between notification and next port of call m ³
1. Waste oils					
Sludge					
Bilge water					
Others (specify)					
2. Garbage					
Food waste					
Plastic					
Other					
3. Sewage ¹					
4. Cargo-associated waste² (specify)					

5. Cargo residues² (specify)					
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¹ Sewage may be discharged at sea in accordance with Regulation 11 of Annex IV of the Convention. The corresponding boxes do not need to be completed if it is the intention to make an authorized discharge at sea.

²May be estimates.

Notes:

1. This information may be used for port State control and other inspection purposes.
2. EEA States will determine which bodies will receive copies of this notification.
3. This form is to be completed unless the ship is covered by an exemption in accordance with regulation 15.

I confirm that the above details are accurate and correct and there is sufficient dedicated onboard capacity to store all waste generated between notification and the next port at which waste will be delivered.

Date

Time

Signature.....”.

Dated 4th March, 2010.

J J HOLLIDAY,
Minister with responsibility for port and shipping,
for the Government.

EXPLANATORY MEMORANDUM

These regulations transpose into the law of Gibraltar Commission Directive 2007/71/EC of 13 December 2007 amending Annex II of Directive 2000/59/EC of the European Parliament and the Council on port reception facilities for ship-generated waste and cargo residues and make other consequential amendments.