

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4775 GIBRALTAR Thursday 29th October 2020

LEGAL NOTICE NO. 374 OF 2020.

GIBRALTAR MERCHANT SHIPPING (SAFETY, ETC.) ACT 1993

GIBRALTAR MERCHANT SHIPPING (PREVENTION OF POLLUTION FROM SHIPS) (AMENDMENT) REGULATIONS 2020

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 powers enabling, the Government, for the purposes of giving effect in Gibraltar to the detailed provisions of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 relating to that Convention, including all its other Protocols, Annexes and Appendices, and amendments thereto adopted by the International Maritime Organisation in accordance with Article 16 of that Convention (the “MARPOL Convention”), and in particular to give effect to IMO Resolution MEPC.280(70), has made the following Regulations–

Title.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) (Amendment) Regulations 2020.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment of Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009.

3(1) The Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009 are amended in accordance with this regulation.

(2) In sub-regulation 113(1), and sub-regulation 113(8) substitute references to “4.5%” with “0.5%”.

(3) In sub-regulations 113(2) and 113(4)(b), delete the words “to be” following “guidelines” and before “developed by the IMO”.

(4) In sub-regulation 113(3)-

(a) delete “and” from sub-regulation (3)(b);

(b) insert the following after sub-regulation (3)(b)-

- “(ba) North American area as defined in Appendix VII of Annex VI;
- (bb) United States Caribbean Sea area as defined in Appendix VII of Annex VI; and”

In sub-regulation 113(4)(a)-

- (a) substitute “1.5%” with “0.1%”;
 - (b) delete the words “and from 1st July 2010 1% m/m”.
- (5) In sub-regulation 113(6) and 113(8); substitute references to “1.5%” with “0.1%”.
- (6) In sub-regulation 113(8), substitute the reference to “19 May 2005” with “1 January 2020” and substitute the reference to “19 May 2006” with “1 January 2020”.
- (7) In sub-regulation 117(6)(a), substitute “1.5%” with “0.1%”.
- (8) In sub-regulation 117(6)(b), substitute “4.5%” with “0.5%”.

Dated: 29th October 2020.

V DARYANANI,
Minister with responsibility for the Port and shipping,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Gibraltar Merchant Shipping (Prevention of Pollution) Regulations 2009 for the purposes of giving effect in Gibraltar to the detailed provisions of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 relating to that Convention, including all its other Protocols, Annexes and Appendices, and amendments thereto adopted by the International Maritime Organisation in accordance with Article 16 of that Convention (the “MARPOL Convention”), and in particular to give effect to IMO Resolution MEPC.280(70), as amended.