

RESOLUTION MEPC.359(79)
(adopted on 16 December 2022)

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF
POLLUTION FROM SHIPS, 1973, AS MODIFIED BY THE
PROTOCOL OF 1978 RELATING THERETO**

Amendments to MARPOL ANNEXES I, II and IV

**(Regional reception facilities within Arctic waters and
Form of IOPP Certificate and Supplements)**

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,

RECALLING ALSO 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 amendments thereto for adoption by the Parties,

HAVING CONSIDERED, at its seventy-ninth session, proposed amendments to MARPOL Annexes I, II and IV concerning regional reception facilities within Arctic waters and Form of IOPP Certificate and Supplements, which were circulated in accordance with article 16(2)(a) of MARPOL,

1 ADOPTS, in accordance with article 16(2)(d) of MARPOL, amendments to MARPOL Annexes I, II and IV, 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 November 2023 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 May 2024 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 ALSO REQUESTS 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 AND IV

**(Regional reception facilities within Arctic waters and
Form of IOPP Certificate and Supplements)**

AMENDMENTS TO MARPOL ANNEX I

Regulation 38 – Reception facilities

1 Paragraph 4 is replaced by the following:

"4 The following States may satisfy the requirements in paragraphs 1 to 3 of this regulation through regional arrangements when, because of those States' unique circumstances, such arrangements are the only practical means to satisfy these requirements:

- .1 small island developing States; and
- .2 States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States.

Parties participating in a regional arrangement shall develop a Regional Reception Facilities Plan, taking into account the guidelines developed by the Organization.

The Government of each Party participating in the arrangement shall consult with the Organization, for circulation to the Parties of the present Convention on:

- .1 how the Regional Reception Facilities Plan takes into account the guidelines developed by the Organization;
- .2 particulars of the identified Regional Ships Waste Reception Centres taking into account the guidelines developed by the Organization; and
- .3 particulars of those ports with only limited facilities."

2 Paragraph 6 is replaced by the following:

"6 The following States may satisfy the requirements in paragraph 5 of this regulation through regional arrangements when, because of those States' unique circumstances, such arrangements are the only practical means to satisfy these requirements:

- .1 small island developing States; and
- .2 States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States.

Parties participating in a regional arrangement shall develop a Regional Reception Facilities Plan, taking into account the guidelines developed by the Organization. The Government of each Party participating in the arrangement shall consult with the Organization, for circulation to the Parties of the present Convention on:

- .1 how the Regional Reception Facilities Plan takes into account the guidelines developed by the Organization;
- .2 particulars of the identified Regional Ships Waste Reception Centres taking into account the guidelines developed by the Organization; and
- .3 particulars of those ports with only limited facilities."

Appendix II

Form of IOPP Certificate and Supplements

Form B of the Supplement to the International Oil Pollution Prevention Certificate (IOPP Certificate)

3 The title of section 5 is replaced by the following:

"5 – Construction (regulations 18, 19, 20, 21, 22, 23, 26, 27, 28 and 33)"

AMENDMENTS TO MARPOL ANNEX II

Regulation 18 – Reception facilities and cargo unloading terminal arrangements

4 Paragraph 3 is replaced by the following:

"3 The following States may satisfy the requirements in paragraphs 1, 2 and 6 of this regulation through regional arrangements when, because of those States' unique circumstances, such arrangements are the only practical means to satisfy these requirements:

- .1 small island developing States; and
- .2 States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States.

Parties participating in a regional arrangement shall develop a Regional Reception Facilities Plan, taking into account the guidelines developed by the Organization.

The Government of each Party participating in the arrangement shall consult with the Organization, for circulation to the Parties of the present Convention on:

- .1 how the Regional Reception Facilities Plan takes into account the guidelines developed by the Organization;

- .2 particulars of the identified Regional Ships Waste Reception Centres taking into account the guidelines developed by the Organization; and
- .3 particulars of those ports with only limited facilities."

AMENDMENTS TO MARPOL ANNEX IV

Regulation 12 – Reception facilities

5 Paragraph 2 is replaced by the following:

"2 The following States may satisfy the requirements in paragraph 1 of this regulation through regional arrangements when, because of those States' unique circumstances, such arrangements are the only practical means to satisfy these requirements:

- .1 small island developing States; and
- .2 States the coastline of which borders on Arctic waters, provided that regional arrangements shall cover only ports within Arctic waters of those States.

Parties participating in a regional arrangement shall develop a Regional Reception Facilities Plan, taking into account the guidelines developed by the Organization.

The Government of each Party participating in the arrangement shall consult with the Organization, for circulation to the Parties of the present Convention on:

- .1 how the Regional Reception Facilities Plan takes into account the guidelines developed by the Organization*;
- .2 particulars of the identified Regional Ships Waste Reception Centres taking into account the guidelines developed by the Organization; and
- .3 particulars of those ports with only limited facilities."