

# Isle of Man Ship Registry Manx Shipping Notice

## MARPOL Annex III

Ref. MSN 068  
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### **1. Introduction**

MARPOL Annex III has been developed to prevent pollution of the marine environment by harmful substances carried by sea in packaged form. It entered into force internationally in 1992, however it has been amended on several occasions since this date. MARPOL Annex III is currently applied by the Merchant Shipping (MARPOL Annex III – Prevention of Pollution by Harmful Substances) Order 2015. This applies Annex V up to and including MEPC.257(67) which entered into force on 1 March 2016.

### **2. Application**

The Merchant Shipping (MARPOL Annex III – Prevention of Pollution by Harmful Substances) Order 2015 applies to:

- Manx ships carrying a harmful substance in packaged form
- Foreign ships carrying a harmful substance in packaged form in the territorial waters of the Island
- A fixed or floating platform carrying a harmful substance in packaged form and which is engaged in exploration and exploitation of the sea-bed and subsoil within the territorial waters of the Island

The Order excludes any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government, non-commercial service.

For this purpose, 'harmful substances' are defined as those substances which are identified as marine pollutants in the International Maritime Dangerous Goods (IMDG Code) or which meet the criteria in the appendix to MARPOL Annex III. 'Packaged Form' is defined as the forms of containment specified for harmful substances in the IMDG Code.

Empty packaging which has been used previously for the carriage of a harmful substance is to be treated as a harmful substance unless adequate precautions have been taken to ensure they contain no residue that is harmful to the marine environment.

The requirements of this Order do not apply to a ship's stores and equipment.

### **3. Survey & Certification**

There is no requirement for Survey & Certification under MARPOL Annex III.



## **4. Overview of Requirements**

### **4.1 Packing**

MARPOL Annex III requires that packaging shall be adequate to minimise the hazard to the maritime environment, having regard to the package's specific contents.

### **4.2 Marking & Labelling**

Packages containing a harmful substance shall be durably marked or labelled to indicate that the substance is a harmful substance in accordance with the relevant provisions of the IMDG Code.

The method of affixing marks or labels on packages containing a harmful substance shall be in accordance with the relevant provisions of the IMDG Code.

### **4.3 Stowage**

Harmful substances shall be properly stowed and secured so as to minimise the hazards to the marine environment without impairing the safety of the ship and persons on board.

### **4.4 Quantity Limitations**

Certain harmful substances may, for sound scientific and technical reasons, need to be prohibited for carriage or be limited as to the quantity which may be carried aboard any one ship. In limiting the quantity, due consideration shall be given to size, construction and equipment of the ship, as well as the packaging and the inherent nature of the substances.

## **5. Exceptions**

There are certain limited exceptions to the requirements of MARPOL Annex III.

For instance, the jettisoning of harmful substances carried in packaged form is prohibited, except where necessary for the purpose of securing the safety of the ship or saving life at sea.

Appropriate measures based on the physical, chemical and biological properties of harmful substances shall be taken to regulate the washing of leakages overboard, provided that compliance with such measures would not impair the safety of the ship and persons on board.

The Ship Registry considers that 'appropriate measures' shall be involve reference to the IMDG code, its supplements and the products own emergency schedules for the substance under consideration. Following review, appropriate mitigating actions as described therein should be followed.



## **6. Required Documents**

Transport information relating to the carriage of harmful substances shall be in accordance with the relevant provisions of the IMDG Code and shall be made available to the person or organisation designated by the port state authority.

Each ship carrying harmful substances in packaged shall have a special list, manifest or stowage plan setting forth, in accordance with the relevant provisions of the IMDG Code, the harmful substances on board and the location thereof. A copy of one of these documents shall be made available before departure to the person or organisation designated by the port state authority.

## **7. Codes**

MARPOL Annex III applies certain sections of the IMDG Code. The Merchant Shipping (MARPOL Annex III – Prevention of Pollution by Harmful Substances) Order 2015 applies the IMDG Code up to the amendments made by MSC.442(99) which entered into force on 1 January 2020.

### **Reference Material:**

- Merchant Shipping (MARPOL Annex III – Prevention of Pollution by Harmful Substances) Order 2015
- MARPOL Annex III
- IMDG Code

*Please note - The Isle of Man Ship Registry cannot give legal advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from ship to ship. You should consider seeking independent legal advice if you are unsure of your own legal position.*

