

Isle of Man Ship Registry Manx Shipping Notice

MARPOL Protocol I

Ref. MSN 072
Issued: 30 Oct 2020

1. Introduction

MARPOL Protocol I requires mandatory reporting of incidents involving harmful substances. Protocol I is currently applied by the Merchant Shipping (MARPOL Protocol I – Reports on Incidents Involving Harmful Substances) Order 2015.

2. Application

The Merchant Shipping (MARPOL Protocol I – Reports on Incidents Involving Harmful Substances) Order 2015 applies to:

- Manx ships
- Foreign ships whilst in the territorial waters of the Island

It does not apply to 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.

3. Reports

MARPOL Protocol I requires the master or other person having charge of any ship involved in an incident referred to below (section 3.1) shall report the particulars of such incident without delay and to the fullest extent possible.

If the ship has been abandoned, or if the report from the ship is incomplete or unobtainable the operator, charterer, manager, or operator of the ship or their agent shall, to the fullest extent possible, assume the obligations placed upon the Master under the Protocol.

Reports shall be made by the fastest telecommunications channels available with the highest possible priority to the nearest coastal state.

3.1 When to Report

A report shall be made when an incident involves:

- a) Discharge above the permitted level or probable discharge of oil or noxious liquid substances for whatever reason including those for the purpose of securing the safety of the ship or saving life at sea
- b) A discharge or probable discharge of harmful substances in packaged form, including those in freight containers, portable tanks, road and rail vehicles and ship-borne barges



- c) Damage, failure or breakdown of a ship of 15 metres in length or above which:
 - i) affects the safety of the ship, including but not limited to collision, grounding, fire, explosion, structural failure, flooding and cargo shifting, or
 - ii) results in impairment of the safety of navigation; including but not limited to failure or breakdown of steering gear, propulsion plant, electrical generating system and essential ship-borne navigational aids, or
- d) A discharge during the normal operation of the ship of oil or noxious liquid substances in excess of the quantity or instantaneous rate permitted under the MARPOL Convention

3.2 What to Report

As a minimum, a report must include the following information:

- a) The identity of ships involved
- b) The time, type and location of incident
- c) The quantity and type of harmful substance involved, and
- d) Any assistance and salvage measures to be, or being taken

3.3 Supplementary Reports

Any person who is required to send a report, must also, when possible:

- a) Supplement the initial report, as necessary, and provide information concerning further developments, and
- b) Comply as fully as possible with requests from affected States for additional information

3.4 Reporting Procedures

Reports shall be based upon the guidelines within IMO resolution A.851(20), as amended by resolution MEPC.138(53).

Reference Material:

- MARPOL Protocol I
- Merchant Shipping (MARPOL Protocol I – Reports on Incidents Involving Harmful Substances) Order 2015
- IMO resolution A.851(20), as amended by resolution MEPC.138(53) – ‘General Principles for Ship Reporting Systems and Ship Reporting Requirements Including Guidelines for Reporting Incidents Involving Dangerous Goods, Harmful Substances and/or Marine Pollutants’

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

