

ANNEX 3

**RESOLUTION MEPC.330(76)
(adopted on 17 June 2021)**

**AMENDMENTS TO THE ANNEX OF 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 and IV

**(Exemption of unmanned non-self-propelled barges from certain survey and
certification requirements)**

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 and adopting amendments thereto,

HAVING CONSIDERED, at its seventy-sixth session, proposed amendments to MARPOL Annexes I and IV concerning the exemption of unmanned non-self-propelled (UNSP) barges from survey and certification requirements, 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 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 May 2022 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 November 2022 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 annexes to all Parties to MARPOL;

5 REQUESTS ALSO the Secretary-General to transmit copies of the present resolution and its annexes to Members of the Organization which are not Parties to MARPOL.

ANNEX

AMENDMENTS TO MARPOL ANNEX I

(Exemption of UNSP barges from certain survey and certification requirements)

Regulation 1

Definitions

1 A new paragraph 40 is added as follows:

"40 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 carries no oil (as defined in regulation 1.1 of this Annex);
- .3 has no machinery fitted that may use oil or generate oil residue (sludge);
- .4 has no oil fuel tank, lubricating oil tank, oily bilge water holding tank and oil residue (sludge) tank; and
- .5 has neither persons nor living animals on board."

Regulation 3

Exemptions and waivers

2 Paragraph 2 is replaced by the following:

"2 Particulars of any such exemption, except those under paragraph 7 of this regulation, granted by the Administration shall be indicated in the Certificate referred to in regulation 7 of this Annex."

3 A new paragraph 7 is added as follows:

"7 The Administration may exempt a UNSP barge* from the requirements of regulations 6.1 and 7.1 of this Annex, by an International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges, for a period not exceeding five years provided that the UNSP barge has undergone a survey to confirm that the conditions referred to in regulations 1.40.1 to 1.40.5 of this Annex are met.

* Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from certain survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.892)."

Regulation 8

Issue of endorsement of certificate by another Government

4 Paragraph 4 is replaced by the following:

"4 No International Oil Pollution Prevention Certificate or UNSP Exemption Certificate shall be issued to a ship which is entitled to fly the flag of a State which is not a Party."

Regulation 9

Form of certificate

5 The existing paragraph is numbered as paragraph 1 and a new paragraph 2 is added as follows:

"2 The International Oil Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled Barges shall be drawn up in the form corresponding to the model given in appendix IV to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

6 A new appendix IV is added as follows:

"APPENDIX IV

Form of Exemption Certificate for UNSP Barges

**INTERNATIONAL OIL POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR
UNMANNED NON-SELF-PROPELLED (UNSP) BARGES**

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, as amended, relating thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
(full designation of the competent person or organization
authorized under the provisions of the Convention)

Particulars of ship*

Name of ship
Distinctive number or letters.....
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

- 1 That the UNSP barge has been surveyed in accordance with regulation 3.7 of Annex I to the Convention;
- 2 That the survey shows that the UNSP barge:
 - .1 is not propelled by mechanical means;
 - .2 carries no oil (as defined in regulation 1.1 of Annex I to the Convention);
 - .3 has no machinery fitted that may use oil or generate oil residue (sludge);
 - .4 has no oil fuel tank, lubricating oil tank, oily bilge water holding tank and oil residue (sludge) tank; and
 - .5 has neither persons nor living animals on board; and
- 3 That the UNSP barge is exempted, under regulation 3.7 of Annex I to the Convention, from the certification and related survey requirements of regulations 6.1 and 7.1 of Annex I to the Convention.

This certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

* Alternatively, the particulars of the ship may be placed horizontally in boxes.

Issued at
(place of issue of certificate)

.....
(date of issue) (dd/mm/yyyy)

.....
*(signature of duly authorized
official issuing the certificate)*

(seal or stamp of the authority, as appropriate)"

AMENDMENTS TO MARPOL ANNEX IV

(Exemption of UNSP barges from certain survey and certification requirements)

Regulation 1

Definitions

1 A new paragraph 16 is added as follows:

"16 *Unmanned non-self-propelled (UNSP) barge* means a barge that:

- .1 is not propelled by mechanical means;
- .2 has neither persons nor living animals on board;
- .3 is not used for holding sewage during transport; and
- .4 has no arrangements that could produce sewage as defined in regulation 1.3 of this Annex."

Regulation 3

Exceptions

2 The title of the regulation is replaced by the following:

"Exceptions and exemptions"

3 A new paragraph 2 is added as follows:

"2 The Administration may exempt an unmanned non-self-propelled (UNSP) barge* from the requirements of regulations 4.1 and 5.1 of this Annex, by an International Sewage Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled (UNSP) Barges, for a period not exceeding 5 years provided that the barge has undergone a survey to confirm that the conditions referred to in regulations 1.16.1 to 1.16.4 of this Annex are met."

* Refer to the *Guidelines for exemption of unmanned non-self-propelled barges from the survey and certification requirements under the MARPOL Convention* (MEPC.1/Circ.892).

Regulation 6

Issue of endorsement of a Certificate by another Government

4 Paragraph 4 is replaced by the following:

"4 No International Sewage Pollution Prevention Certificate or UNSP Exemption Certificate shall be issued to a ship which is entitled to fly the flag of a State which is not a Party."

Regulation 7

Form of Certificate

5 The existing paragraph is numbered as paragraph 1 and the reference to "appendix" is replaced by "appendix 1".

6 A new paragraph 2 is added as follows:

"2 The International Sewage Pollution Prevention Exemption Certificate for Unmanned Non-self-propelled (UNSP) Barges shall be drawn up in the form corresponding to the model given in appendix II to this Annex and shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in the event of a dispute or discrepancy."

Appendices

7 The existing appendix is numbered as appendix I and a new appendix II is added as follows:

"APPENDIX II

Form of Exemption Certificate for UNSP Barges

INTERNATIONAL SEWAGE POLLUTION PREVENTION EXEMPTION CERTIFICATE FOR UNMANNED NON-SELF-PROPELLED (UNSP) BARGES

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, as amended, relating thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

.....
(full designation of the country)

by
(full designation of the competent person or organization
authorized under the provisions of the Convention)

Particulars of ship*

Name of ship
Distinctive number or letters
Port of registry
Gross tonnage

THIS IS TO CERTIFY:

1 That the unmanned non-self-propelled (UNSP) barge has been surveyed in accordance with regulation 3.2 of Annex IV to the Convention;

2 That the survey shows that the unmanned non-self-propelled (UNSP) barge:

- .1 is not propelled by mechanical means;
- .2 has neither persons nor living animals on board;
- .3 is not used for holding sewage during transport; and
- .4 has no arrangements that could produce sewage as defined in regulation 1.3 of Annex IV to the Convention; and

3 That the UNSP barge is exempted, under regulation 3.2 of Annex IV to the Convention, from the certification and related survey requirements of regulations 4.1 and 5.1 of Annex IV to the Convention.

This certificate is valid until (dd/mm/yyyy).....

subject to the exemption conditions being maintained.

Completion date of the survey on which this certificate is based (dd/mm/yyyy).....

Issued at
(place of issue of certificate)

* Alternatively, the particulars of the ship may be placed horizontally in boxes.

.....
(date of issue) (dd/mm/yyyy):

.....
(signature of duly authorized
official issuing the certificate)

(seal or stamp of the authority, as appropriate)"
