

Only the Danish version is authentic

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Technical regulation on the  
construction and equipment, etc. of  
passenger ships on domestic voyages

## CHAPTER XXV

### Prevention of pollution by garbage from ships

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## CHAPTER XXV

### Prevention of pollution by garbage from ships

#### *Introduction*

*The provisions of chapter XXV (previously chapter XXIV) have been drawn up on the basis of annex V to the International Convention for the Prevention of Pollution from Ships – the 1973 MARPOL Convention – as amended.*

*The administration of the rules has been distributed so that the Danish Environmental Protection Agency is responsible for the rules on discharge, and the Danish Maritime Authority is responsible for the rules on the technical installations on board the ships, including records and plans. This distribution of responsibility has been indicated in the table of contents with an “M” for the Danish Environmental Protection Agency and an “S” for the Danish Maritime Authority.*

*In addition to the technical regulations contained in the sets of regulations issued by the Danish Maritime Authority, orders have been issued by the Danish Ministry of the Environment, which must be observed as well.*

*In these provisions, the IMO is referred to as the Organisation, MARPOL 73/78 is referred to as the Convention, and the Danish Environmental Protection Agency and the Danish Maritime Authority, respectively, are referred to as the Administration.*

#### **Regulation 1 Definitions**

For the purposes of this chapter:

- 1 “Garbage” means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other annexes to the Convention.
- 2 “Nearest land”. The term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law except that, for the purposes of these regulations, "from the nearest land" off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in:  
latitude 11°00' S, longitude 142°08' E  
to a point in latitude 10°35' S, longitude 141°55' E,  
thence to a point latitude 10°00' S, longitude 142° 00' E,  
thence to a point latitude 09°10' S, longitude 143° 52' E,  
thence to a point latitude 09°00' S, longitude 144° 30' E,  
thence to a point latitude 10°41' S, longitude 145° 00' E,  
thence to a point latitude 13°00' S, longitude 145° 00' E,

thence to a point latitude 15°00' S, longitude 146° 00' E,  
thence to a point latitude 17°30' S, longitude 147° 00' E,  
thence to a point latitude 21°00' S, longitude 152° 55' E,  
thence to a point latitude 24°30' S, longitude 154° 00' E,  
thence to a point on the coast of Australia in latitude 24°42' S,  
longitude 153°15' E.

- 3 “Special area” means a sea area where for recognized technical reasons in relations to its oceanographical and ecological condition and to the particular character of its traffic the adoption of special mandatory methods for the prevention of sea pollution by garbage is required. Special areas shall include those listed in regulation 5.

### **Regulation 2 Application**

Unless expressly provided otherwise, the provisions of this chapter shall apply to all ships.

### **Regulation 3 Disposal of garbage outside special areas**

- 1 Subject to the provisions of regulations 4, 5 and 6 of this chapter:
- a) the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues, is prohibited;
  - b) the disposal into the sea of the following garbage shall be made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than:
    - 1) 25 nautical miles for dunnage, lining and packing materials which will float;
    - 2) 12 nautical miles for food wastes and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse;
  - c) disposal into the sea of garbage specified in subparagraph(b)(2) of this regulation may be permitted when it has passed through a comminuter or grinder and made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than 3 nautical miles. Such comminuted or ground garbage shall be capable of passing through a screen with openings no greater than 25 mm.
- 2 When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

### **Regulation 4 Special requirements for disposal of garbage**

- 1 Subject to the provisions of paragraph (2), the disposal of any materials regulated by this chapter is prohibited from fixed or floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources,

and from all other ships when alongside or within 500 m of such platforms.

- 2 The disposal into the sea of food wastes may be permitted when they have been passed through a comminuter or grinder from such fixed or floating platforms located more than 12 nautical miles from land and all other ships when alongside or within 500 m of such platforms. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 mm.

**Regulation 5 Disposal of garbage within special areas**

- 1 For the purposes of this chapter the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area, the "Gulfs area", the North Sea area, the Antarctic area and the Wider Caribbean Region, including the Gulf of Mexico and the Caribbean Sea, which are defined as follows:
  - a) The Mediterranean Sea area means the Mediterranean Sea proper including the gulfs and seas therein with the boundary between the Mediterranean and the Black Sea constituted by the 41° N parallel and bounded to the west by the Straits of Gibraltar at the meridian 5°36' W.
  - b) The Baltic Sea area means the Baltic Sea proper with the Gulf of Bothnia and the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57°44.8' N.
  - c) The Black Sea area means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41° N.
  - d) The Red Sea area means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12°28.5' N, 43°19.6' E) and Husn Murad (12°40.4' N, 43°30.2' E).
  - e) The Gulfs area means the sea area located north-west of the rhumb line between Ras al Hadd (22°30' N, 59°48' E) and Ras al Fasteh (25°04' N, 61°25' E).
  - f) The North Sea area means the North Sea proper including seas therein with the boundary between:
    - 1) the North Sea southwards of latitude 62° N and eastwards of longitude 4° W;
    - 2) the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44.8' N; and
    - 3) the English Channel and its approaches eastwards of longitude 5° W and northwards of latitude 48°30' N.
  - g) The Antarctic area means the sea area south of latitude 60° S.
  - h) The Wider Caribbean Region, as defined in article 2, paragraph 1 of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena de Indias, 1983), means the Gulf of Mexico and Caribbean Sea proper including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by the 30° N

parallel from Florida eastward to 77°30' W meridian, thence a rhumb line to the intersection of 20° N parallel and 59° W meridian, thence a rhumb line to the intersection of 7°20' N parallel and 50° W meridian, thence a rhumb line drawn southwesterly to the eastern boundary of French Guiana.

- 2 Subject to the provisions of regulation 6:
  - a) disposal into the sea of the following is prohibited:
    - 1) all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues; and
    - 2) all other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;
  - b) except as provided in subparagraph (c) of this paragraph, disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land;
  - c) disposal into the Wider Caribbean Region of food wastes which have been passed through a comminuter or grinder shall be made as far as practicable from land, but in any case not less than 3 nautical miles from the nearest land. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 mm.
- 3 When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.
- 4 Reception facilities within special areas:
  - a) The Government of each Party to the Convention, the coastline of which borders a special area, undertakes to ensure that as soon as possible in all ports within a special area adequate reception facilities are provided in accordance with regulation 7, taking into account the special needs of ships operating in these areas.
  - b) The Government of each Party concerned shall notify the Organization of the measures taken pursuant to subparagraph (a) of this regulation. Upon receipt of sufficient notifications the Organization shall establish a date from which the requirements of this regulation in respect of the area in question shall take effect. The Organization shall notify all Parties of the date so established no less than twelve months in advance of that date.
  - c) After the date so established, ships calling also at ports in these special areas where such facilities are not yet available, shall fully comply with the requirements of this regulation.
- 5 Notwithstanding paragraph 4 of this regulation, the following rules apply to the Antarctic area:
  - a) The Government of each Party to the Convention at whose ports ships depart en route to or arrive from the Antarctic area undertakes to ensure that as soon as practicable adequate facilities are provided for the

reception of all garbage from all ships, without causing undue delay, and according to the needs of the ships using them.

- b) The Government of each Party to the Convention shall ensure that all ships entitled to fly its flag, before entering the Antarctic area, have sufficient capacity on board for the retention of all garbage while operating in the area and have concluded arrangements to discharge such garbage at a reception facility after leaving the area.

**Regulation 6 Exceptions**

Regulations 3, 4 and 5 shall not apply to:

- a) the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or
- b) the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape; or
- c) the accidental loss of synthetic fishing nets, provided that all reasonable precautions have been taken to prevent such loss.

**Regulation 7 Reception facilities**

- 1 The Government of each Party to the Convention undertakes to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.
- 2 The Government of each Party shall notify the Organization for transmission to the Parties concerned of all cases where the facilities provided under this regulation are alleged to be inadequate.

**Regulation 8 Port State control on operational requirements<sup>1</sup>**

- 1 A ship when in a port of another Party is subject to inspection by officers duly authorized by such Party concerning operational requirements, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by garbage.
- 2 In the circumstances given in paragraph 1, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this chapter.
- 3 Procedures relating to the port State control prescribed in article 5 of the MARPOL Convention shall apply to this regulation.
- 4 Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the MARPOL Convention.

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<sup>1</sup> Refer to the Procedures for port State control adopted by the Organization by resolution A.787(19) and amended by A.882(21).

**Regulation 9 Placards, garbage management plans and garbage record-keeping**

- 1
  - a Every ship of 12 m or more in length overall shall display placards which notify the crew and passengers of the disposal requirements of regulations 3 and 5 of this chapter, as applicable. *Annex 2 to this chapter contains an example of such a placard.*
  - b The placards shall be written in the working language of the ship's personnel and, for ships engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention, shall also be in English, French or Spanish.
  - c *The placard shall be placed in conspicuous places where passengers and crewmembers move about in general as well as in galleys where stores are unpacked, where garbage is sorted, stored and treated and in similar places.*
- 2 Every ship of 400 tons gross tonnage and above, and every ship which is certified to carry 15 persons or more, shall carry a garbage management plan which the crew shall follow. This plan shall provide written procedures for collecting, storing, processing and disposing of garbage, including the use of the equipment on board. It shall also designate the person in charge of carrying out the plan. Such a plan shall be in accordance with the guidelines developed by the Organization<sup>2</sup> and written in the working language of the crew.
- 4 Every ship of 400 tons gross tonnage and above and every ship which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the seabed shall be provided with a Garbage Record Book. The Garbage Record Book, whether as a part of the ship's official log-book or otherwise, shall be in the form specified in the appendix to this Annex V of the MARPOL Convention (*not included here*).
  - a) each discharge operation, or completed incineration, shall be recorded in the Garbage Record Book and signed for on the date of the incineration or discharge by the officer in charge. Each completed page of the Garbage Record Book shall be signed by the master of the ship. The entries in the Garbage Record Book shall be at least in English, French or Spanish. Where the entries are also made in an official language of the State whose flag the ship is entitled to fly, these entries shall prevail in case of a dispute or discrepancy;
  - b) the entry for each incineration or discharge shall include date and time, position of the ship, description of the garbage and the estimated amount incinerated or discharged;
  - c) the Garbage Record Book shall be kept on board the ship and in such a place as to be available for inspection in a reasonable time. This document shall be preserved for a

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<sup>2</sup> Reference is made to the Guidelines for the drafting of garbage management plans, as adopted by IMO by resolution MEPC.71(38).

- period of two years after the last entry is made on the record;
- d) in the event of discharge, escape or accidental loss referred to in regulation 6 of this chapter an entry shall be made in the Garbage Record Book of the circumstances of, and the reasons for, the loss.
- e) *The garbage record shall be kept in an easily legible hand, and no page may be torn out. What has been recorded once may not be erased, crossed out or in any other way be made illegible. If it becomes necessary to correct anything in the record, the correction shall be added as a remark.*
- 4 The Administration may waive the requirements for Garbage Record Books for:
- (i) any ship engaged on voyages of 1 hour or less in duration which is certified to carry 15 persons or more (*the Danish Maritime Authority shall in general waive the requirement of paragraph (i)*); or
- (ii) fixed or floating platforms while engaged in exploration and exploitation of the sea-bed.
- 5 The competent authority of the Government of a Party to the Convention may inspect the Garbage Record Book on board any ship to which this regulation applies while the ship is in its ports or offshore terminals and may make a copy of any entry in that book, and may require the master of the ship to certify that the copy is a true copy of such an entry. Any copy so made, which has been certified by the master of the ship as a true copy of an entry in the ship's Garbage Record Book and the taking of a certified copy by the competent authority under this paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.
- 6 In the case of ships built before 1 July 1997, this regulation shall apply as from 1 July 1998.
- 7 (a) *All ships shall be provided with storage facilities of a capacity sufficient to store solid garbage on board as well as food waste in consideration of the relevant ship's area of operation and sailing time to ports that are capable of receiving the garbage. The ships shall, as a minimum, be provided with storage facilities of a capacity as indicated in appendix 1.*
- (b) *In all passenger ships, garbage containers shall be placed at suitable places in the galley and on open deck at a suitable distance from each other.*
- 8 *On ships built after 1 January 1997, garbage incinerators shall comply with the provisions of resolution MEPC.59(33), "Standard specification for shipboard incinerators".*

**Appendix 1: Guidelines for the capacity of garbage containers**

<i>Gross tonnage and number of persons</i>	<i>Min. capacity of garbage containers (m<sup>3</sup>)</i>
<i>&lt; 400 with up to ten persons</i>	<i>0.1</i>
<i>&lt; 400 with up to 50 persons</i>	<i>0.5</i>
<i>400 - 1,600</i>	<i>0.4</i>
<i>1,600 - 4,000</i>	<i>1.2</i>
<i>4,000 - 10,000</i>	<i>2.5</i>
<i>10,000 and above</i>	<i>5.0</i>
<i>Ships carrying more than 50 persons</i>	<i>1.0 m<sup>3</sup> per 100 persons a day</i>

*The ships shall be provided with three garbage containers in accordance with the three garbage categories stipulated in the "Guidelines for the implementation of Annex V of MARPOL 73/78". In general, garbage may be expected to consist of 50 per cent glass, cardboard, paper, etc., 25 per cent plastic and 25 per cent foodstuffs.*

*The garbage container capacity may be reduced for ships that sail only on two ports or that have a short sailing time or that are provided with garbage incinerators or compactor and grinding plants.*

**Appendix 2: Guidelines for placards on the treatment of garbage on board**

*Example of the placard on the treatment of garbage required by regulation 9, paragraph 1.*

*Garbage from ships shall be sorted in accordance with the table below and shall be stored in containers on board.*

*All garbage from ships shall, insofar as possible, be delivered to reception facilities ashore.*

*Legal discharge of garbage from ships into the sea may take place only in accordance with the table below and after permission from the ship's captain or officers.*

*Illegal discharge of garbage into the sea will be punished.*

<b>Garbage</b>	<b>Outside special sea areas</b>	<b>Special sea areas</b>
<i>All types of plastics, including synthetic ropes and fishing nets as well as garbage bags</i>	<i>Prohibited</i>	<i>Prohibited</i>
<i>Floating dunnage, lining and packing materials</i>	<i>25 nautical miles from the nearest land</i>	<i>Prohibited</i>
<i>Paper, rags, glass, metal, bottles, crockery and similar materials</i>	<i>12 nautical miles from the nearest land</i>	<i>Prohibited</i>
<i>Food waste</i>	<i>12 nautical miles from the nearest land</i>	<i>12 nautical miles from the nearest land</i>