

1976/48



## THE MARINE POLLUTION (RECORDS) REGULATIONS 1976

DENIS BLUNDELL, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 16th day of February  
1976

Present:

THE HON. J. B. GORDON PRESIDING IN COUNCIL

PURSUANT to sections 11 and 68 of the Marine Pollution Act 1974, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Marine Pollution (Records) Regulations 1976.

(2) These regulations shall come into force on the 31st day of March 1976.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“The Act” means the Marine Pollution Act 1974:

“Inspector” means a person appointed or deemed to be appointed as an inspector under section 17 of the Act:

“Tanker” means a ship the greater part of the cargo space of which is constructed or adapted for the carriage of liquid cargoes in bulk, and which is either carrying a cargo of oil in bulk in that part of its cargo space or has on board oil residues from a cargo of oil in bulk previously carried:

Expressions defined in the Act have the meanings so defined.

**3. Application**—These regulations shall apply to—

- (a) New Zealand ships and home-trade ships:
- (b) Other ships while within New Zealand waters:
- (c) Offshore installations.

**4. Requirement to keep records on tankers**—(1) The master of every tanker to which these regulations apply shall carry on board an oil record book in the form prescribed in the First Schedule to these regulations, and shall record in that book the following matters:

- (a) Any occasion on which oil is found to be escaping or to have escaped or is discharged from the tanker:

- (b) Any occasion on which oil is discharged from the tanker for the purpose of securing the safety of any ship or of preventing damage to any ship or cargo, or of saving life:
- (c) Any occasion on which oil is found to be escaping or to have escaped or is discharged from the tanker, in consequence of damage to the tanker, or by reason of leakage:
- (d) Any of the following operations carried out on board or in connection with the tanker:
  - (i) Loading of oil cargo:
  - (ii) Transfer of oil cargo during a voyage to or from a tanker or between tanks within a tanker:
  - (iii) Discharge of oil cargo:
  - (iv) Ballasting of oil tanks (whether cargo or bunker fuel tanks):
  - (v) Cleaning of oil tanks (whether cargo or bunker fuel tanks):
  - (vi) Discharge of ballast containing oil:
  - (vii) Discharge of water from slop tanks:
  - (viii) Disposal of oil residues:
  - (ix) Discharge overboard of water containing oil which has accumulated while in port in machinery spaces including pump rooms:
  - (x) Subject to subclauses (2) and (3) of this regulation, the routine discharge at sea of bilge water containing oil.

(2) The requirement to keep a record in the form required by subclause (1) of this regulation shall not apply to any discharge referred to in subclause (1) (d) (x) of this regulation, so far as it relates to the discharge of bilge water containing oil from machinery spaces, including pump rooms, if such discharge has been entered in the engine room log book or deck log book.

(3) Any entry relating to the discharge of water containing oil from the bilges of machinery spaces, including pump rooms, whether made in the oil record book or in the engine room log book or deck log book, shall state whether the discharge was made through a separator. Where the pump discharging oily bilge water starts automatically and discharges through a separator at all times, it shall be sufficient to enter each day the words "Automatic discharge from bilges through a separator".

**5. Requirement to keep records on ships other than tankers—**(1) The master of every ship of 100 tons and over to which these regulations apply, not being a tanker, shall carry on board an oil record book in the form prescribed in the Second Schedule to these regulations, and shall record in that book the following matters:

- (a) Any occasion on which oil is found to be escaping or to have escaped or is discharged from the ship:
- (b) Any occasion on which oil is discharged from the ship for the purpose of securing the safety of any ship or of preventing damage to any ship or cargo or of saving life:
- (c) Any occasion on which oil is found to be escaping or to have escaped or is discharged from the ship in consequence of damage to the ship, or by reason of leakage:

- (d) Any of the following operations carried out on board or in connection with the ship:
- (i) Ballasting or cleaning of bunker fuel tanks:
  - (ii) Discharge of ballast containing oil or cleaning water from bunker fuel tanks:
  - (iii) Disposal of oil residues:
  - (iv) Discharge overboard of water containing oil which has accumulated in machinery spaces, including pump rooms, while in port:
  - (v) Subject to subclauses (2) and (3) of this regulation, the routine discharge at sea of bilge water containing oil.

(2) The requirements to keep a record in the form required by subclause (1) of this regulation shall not apply to any discharge referred to in subclause (1) (d) (v) of this regulation, so far as it relates to the discharge of water containing oil from the bilges of machinery spaces, including pump rooms, if such discharge has been entered in the engine room log book or deck log book.

(3) Any entry relating to the discharge of water containing oil from the bilges of machinery spaces, including pump rooms, whether made in the oil record book or in the engine room log book or deck log book, shall state whether the discharge was made through a separator. Where the pump discharging oily bilge water starts automatically and discharges through a separator at all times, it shall be sufficient to enter each day the words "Automatic discharge from bilges through a separator".

**6. Requirement to keep records on offshore installations**—The person in charge of every offshore installation shall keep on board an oil record book in the form prescribed in the Third Schedule to these regulations, and shall record in that book the following matters:

- (a) Any occasion on which oil is found to be escaping or to have escaped or is discharged from the offshore installation:
- (b) Any occasion on which oil is discharged from the offshore installation for the purpose of securing the safety of the offshore installation or of any ship or of preventing damage to any ship or cargo or of saving life:
- (c) Any occasion on which oil is found to be escaping or to have escaped, or is discharged, from the offshore installation in consequence of damage to the offshore installation, or by reason of leakage:
- (d) Any of the following operations carried out on board or in connection with the offshore installation:
  - (i) The disposal of oil residues:
  - (ii) Any operations which involve or are likely to involve the discharge or escape of oil into the sea.

**7. Inspection of records**—(1) Any inspector or harbourmaster may go on board any ship while it is within a harbour of New Zealand, and may board any offshore installation, for the purpose of inspecting the records required to be kept by these regulations.

(2) Any inspector or harbourmaster may copy any entry in the records required to be kept by these regulations, and may require the person by whom the records are required by the Act or these regulations to be kept to certify the copy as a true copy of the entry.

**8. Retention and disposal of records—**(1) The records required to be kept by these regulations in respect of any New Zealand ship or home-trade ship or oil installation shall be retained in the custody of the master for the time being of the ship or the person for the time being in charge of the offshore installation, as the case may be, for a period of 2 years from the date on which the last entry was made: Provided that if the ship or offshore installation is unmanned, the records shall be kept at the principal office in New Zealand of the owners of the ship or offshore installation.

(2) On the expiry of the period specified in subclause (1) of this regulation, the aforesaid records may be destroyed.

**9. Records carried on Convention Country ships—**It shall be sufficient compliance with regulations 4 and 5 in the case of any ship which is registered in a country which has accepted the International Convention for the Prevention of Pollution of the Sea by Oil 1954 (as amended in 1962) but has not implemented the 1969 amendment of that Convention if the ship carries an oil record book in the form set out in the Schedules to the Oil in Navigable Waters (Records, Transfer, and Enforcement of Convention) Regulations 1971\* appropriate to the ship, and, notwithstanding their revocation by regulation 10 hereof those regulations shall, as far as they are applicable, be deemed to continue in force for the purposes of this regulation.

**10. Revocation—**Subject to regulation 9 hereof, the Oil in Navigable Waters (Records, Transfer, and Enforcement of Convention) Regulation 1971\* are hereby revoked.

SCHEDULES

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FIRST SCHEDULE

FORM OF OIL RECORD BOOK TO BE CARRIED BY OIL TANKERS

Reg. 4

Con. Regs.—11\*

NAME OF SHIP.....

TOTAL CARGO CARRYING CAPACITY OF SHIP IN CUBIC METRES.....

(a) *Loading of oil cargo*

1. Date and place of loading .. .. .

2. Types of oil loaded .. .. .

3. Identity of tank(s) loaded .. .. .

(b) *Transfer of oil cargo during voyage*

4. Date of transfer .. .. .

5. Identity of tank(s) (i) From .. .. .

(ii) To .. .. .

6. Was (were) tank(s) in 5 (i) emptied? .. .. .

(c) *Discharge of oil cargo*

7. Date and place of discharge .. .. .

8. Identity of tank(s) discharged .. .. .

9. Was (were) tank(s) emptied? .. .. .


FIRST SCHEDULE—continued

<i>(d) Ballasting of cargo tanks</i>						
10. Identity of tank(s) ballasted . . . . .	..	..				
11. Date and position of ship at start of ballasting . .						
<i>(e) Cleaning of cargo tanks</i>						
12. Identity of tank(s) cleaned . . . . .	..	..				
13. Date and duration of cleaning . . . . .	..	..				
14. Methods of cleaning (hand hosing, machine washing, or chemical cleaning. Where chemically cleaned, the chemical concerned and the amount used should be stated).						
<i>(f) Discharge of dirty ballast</i>						
15. Identity of tank(s) . . . . .	..	..				
16. Date and position of ship at start of discharge to sea						
17. Date and position of ship at finish of discharge to sea						
18. Ship's speed(s) during discharge . . . . .	..	..				
19. Quantity discharged to sea . . . . .	..	..				
20. Quantity of polluted water transferred to slop tank(s). (Identify slop tank(s))						
21. Date and port of discharge into shore reception facilities (if applicable) . . . . .	..	..				

*(g) Discharge of water from slop tanks*

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|---|--|--|--|--|
| 22. Identity of slop tank(s) .. .. .                      |  |  |  |  |
| 23. Time of settling from last entry of residues, or      |  |  |  |  |
| 24. Time of settling from last discharge .. .. .          |  |  |  |  |
| 25. Date, time and position of ship at start of discharge |  |  |  |  |
| 26. Sounding of total contents at start of discharge..    |  |  |  |  |
| 27. Sounding of interface at start of discharge ..        |  |  |  |  |
| 28. Bulk quantity discharged and rate of discharge..      |  |  |  |  |
| 29. Final quantity discharged and rate of discharge..     |  |  |  |  |
| 30. Date, time and position of ship at end of discharge   |  |  |  |  |
| 31. Ship's speed(s) during discharge .. .. .              |  |  |  |  |
| 32. Sounding of interface at end of discharge ..          |  |  |  |  |

*(h) Disposal of Residues*

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|--|--|--|--|--|
| 33. Identity of tank(s) .. .. .  |  |  |  |  |
| 34. Quantity disposed from each tank .. .. .   |  |  |  |  |
| 35. Method of disposal of residue—<br>(a) Reception facilities<br>(b) Mixed with cargo<br>(c) Transferred to another (other) tank(s)<br>(identify tank(s))<br>(d) Other method |  |  |  |  |
| 36. Date and port of disposal of residue .. .. .   |  |  |  |  |

## FIRST SCHEDULE—continued

(i) <i>Discharge of oily bilge water which has accumulated in machinery spaces (including pump rooms) whilst in port*</i>				
37. Port .. .. .				
38. Duration of stay .. .. .				
39. Quantity disposed .. .. .				
40. Date and place of disposal .. .. .				
41. Method of disposal (state whether a separator was used)†				
(j) <i>Routine discharge at sea of oily bilge water from machinery spaces (including pump rooms)*</i>				
42. Frequency of discharge and method of disposal (state whether or not a separator was used)†				
(k) <i>Accidental or other exceptional discharges of oil</i>				
43. Date and time of occurrence .. .. .				
44. Place or position of ship at time of occurrence .. .				
45. Approximate quantity and type of oil .. .				
46. Circumstances of discharge or escape and general remarks				
Signature of officer or officers reporting the occurrence .. .				
Signature of master and date .. .. .				

\*In accordance with regulation 4 (2), such discharges need not be entered in this book if entered in the engine room log book or deck log book.

†Where the pump starts automatically and discharges through a separator at all times, it shall be sufficient to enter each day "Automatic discharge from bilges through a separator".





SECOND SCHEDULE—continued

(d) <i>Discharge overboard of bilge water containing oil which has accumulated in machinery spaces whilst in port*</i>				
14. Port .. .. .				
15. Duration of stay .. .. .				
16. Quantity disposed .. .. .				
17. Date and place of disposal .. .. .				
18. Method of disposal (state whether separator was used)†				
(e) <i>Routine discharge at sea of oily bilge water from machinery spaces*</i>				
19. Frequency of discharge and method of disposal (state whether or not a separator was used)†				
(f) <i>Accidental or other exceptional discharge of oil</i>				
20. Date and time of occurrence .. .. .				
21. Place or position of ship at time of occurrence ..				
22. Approximate quantity and type of oil ..				
23. Circumstances of discharge or escape and general remarks				
<i>Signature of officer or officers reporting occurrence and date</i>				
<i>Signature of master and date</i>				

\*In accordance with regulation 5 (2), such discharges need not be entered in this book if entered in the engine room log book or deck log book.

†Where the pump starts automatically and discharges through a separator at all times, it shall be sufficient to enter each day "Automatic discharge from bilges through a separator."

**FORM OF OIL RECORD BOOK TO BE KEPT ON OFFSHORE INSTALLATIONS**

**NAME OR OTHER IDENTIFICATION OF OFFSHORE INSTALLATION**.....

**POSITION OF OFFSHORE INSTALLATION**.....

*(a) Operations which result or are likely to result in the discharge of oil or a mixture containing oil*

1. Type of operation .. .. .

2. Date and time of commencement of operation ..

3. Date and time of completion of operation ..

4. Approximate quantity and type of oil discharged (if any)

*(b) Disposal of residues*

5. Quantity and type of residue disposed of ..

6. Method of disposal i.e. name of ship to which residues transferred

7. Date of disposal .. .. .

*(c) Accidental or other exceptional discharge of oil*

8. Date and time of occurrence .. .. .

9. Approximate quantity and type of oil ..

10. Circumstances of discharge or escape and general remarks

*Signature of person reporting the occurrence*

*Signature of person in charge of the offshore installation and date*


**P. G. MILLEN,**  
**Clerk of the Executive Council.**

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations prescribe the records as to the matters specified in section 11 of the Marine Pollution Act 1974 to be kept by the master of every New Zealand ship or home-trade ship or of any other ship while in New Zealand waters and by the person in charge of an offshore installation.

The regulations also provide for the inspection of these records by inspectors appointed under section 17 of the Marine Pollution Act 1974 and by harbour-masters. The regulations also prescribe the period for which the records are to be kept.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 February 1976.

These regulations are administered in the Ministry of Transport.