

THE MARITIME TRANSPORT ACT, NO. 5 OF 2006

REGULATIONS FOR PREVENTION OF MARINE OILPOLLUTION

ARRANGEMENT OF REGULATIONS

REGULATIONS

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THE MARITIME TRANSPORT ACT, NO. 5 OF 2006

REGULATIONS FOR PREVENTION OF MARINE OILPOLLUTION

[Made under section 287(1)]

IN EXERCISE of the powers conferred upon me under section 287(1) of the Maritime Transport Act, No. 5 of 2006, **I, DR. SIRA UBWA MAMBOYA**, Minister responsible for maritime transport affairs, do hereby make the following Regulations:

PART ONE

PRELIMINARY PROVISIONS

Short title and commencement **1.** These Regulations may be cited as the Regulations for Prevention of Marine Oil Pollution of 2019 and shall come into operation after being signed by the Minister and published in the Official Gazette.

Interpretation **2.** In these Regulations, unless the context otherwise requires-

“Act” means the Maritime Transport Act, No. 5 of 2006;

“amidships” means at the middle of the length (L);

“Annex I” means Annex I to the Convention (which sets out regulations for the prevention of pollution by oil);

“anniversary date” means the date in each year corresponding to the date of expiry of the IOPP Certificate;

“Authority” means the Zanzibar Maritime Authority;

“breadth” means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material, measured in metres;

“central tank” means any tank inboard of a longitudinal bulkhead;

“Certifying Authority” means the Registrar of Ships or any person authorised

by the Registrar of Ships;

“chemical tanker” means a ship constructed or adapted primarily to carry a cargo of noxious liquid substances in bulk and includes an oil tanker when carrying a cargo or part cargo of noxious liquid substances in bulk;

“clean ballast” means the ballast in a tank which, since oil was last carried therein, has been so cleaned that the effluent therefrom, if it were discharged from a ship which is stationary into clean calm water on a clear day would not produce visible traces of oil on the surface of the sea water or on adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines;

“combination carrier” means a ship designed to carry either oil or solid cargoes in bulk;

“controlled waters” means the waters specified as areas within which the sea water jurisdiction and rights of the Zanzibar are exercisable by the Act;

“Convention” means the International Convention for the Prevention of Pollution from Ships 1973, including its protocols, Annex I (but no other Annex) and appendices thereto, as amended by the Protocol;

“Convention country” means a country which is a Party to the Convention;

“crude oil” means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation, and includes-

- (a) crude oil from which certain distillate fractions may have been removed; and
- (b) crude oil to which certain distillate fractions may have been added;

“crude oil tanker” means an oil tanker engaged in the trade of carrying crude oil;

“deadweight” means the difference in metric tons between the displacement of a ship in water of a specific gravity of 1.025 at the load waterline corresponding to the assigned summer freeboard and the lightweight of the ship;

“discharge”, in relation to harmful substances or effluents containing such substances, means any release, howsoever caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying, but does not include-

- (a) dumping within the meaning of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter signed in London on 13 November 1972;
- (b) release of harmful substances directly arising from the exploration, exploitation and associated off-shore processing of sea-bed mineral resources; or
- (c) release of harmful substances for purposes of legitimate scientific research into pollution abatement or control;

“existing ship” means a ship which is not a new ship;

“filtering equipment” mean filters or any combination of separators and filters which are designed to produce effluent containing not more than 15ppm of oil;

“flag state” means the state whose flag a ship is entitled to fly;

“forward and after perpendiculars” shall be taken at the forward and after ends of the length;

“Government ship” has the same meaning as assigned to it under the Act;

“GT” means gross registered tonnage and the gross registered tonnage of a ship having alternative gross registered tonnages shall be taken to be the larger of those tonnages;

“Guidelines and Specifications for oil discharge monitoring and control systems for oil tankers” means Resolution A496(XII) adopted by the International Maritime Organisation and contained in the 1987 Edition of Oily Water Separators and Monitoring Equipment, published by that Organisation or revised guidelines by the Marine Environment Protection Committee Resolution MEPC.108(49) adopted on 18th July 2003;

“harmful substance” means any substance which, if introduced into the sea, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or interfere with other legitimate uses of the sea,

and includes oil;

“instantaneous rate of discharge of oil content” means the rate of discharge of oil in litres per hour at any instant divided by the speed of the ship in knots at the same instant;

“IOPP Certificate” means the International Oil Pollution Prevention Certificate issued in accordance with the Convention;

“length” means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater;

“lightweight” means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects;

“major conversion” means a conversion of an existing ship-

- (a) which substantially alters the dimensions or carrying capacity of the ship; or
- (b) which changes the type of the ship; or
- (c) the intent of which, in the opinion of the Registrar, is substantially to prolong its life; or
- (d) which otherwise so alters the ship that, if it were a new ship, it would become subject to relevant provisions of the Protocol not applicable to it as an existing ship;
- (e) but conversion of-
 - (i) an existing oil tanker of 20,000 tons deadweight and above to meet the requirements of these Regulations; or
 - (ii) an existing oil tanker to meet the requirements of these Regulations;
 - (iii) shall not be deemed to constitute a major conversion;

“Merchant Shipping Notice” means a Notice described as such and issued by the Authority, and includes any document amending or replacing that Notice which is considered by the Registrar of Ships to be relevant from time to time and is specified in that notice;

“mile” means an international nautical mile that is to say a distance of 1,852

metres;

“oil” means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products, other than oil-like substances;

“oil fuel” means any oil used as fuel in connection with the propulsion and auxiliary machinery of the ship in which such oil is carried;

“oil tanker” means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes a combination carrier or a chemical tanker when it is carrying a cargo or part cargo of oil in bulk;

“oily mixture” means a mixture with any oil content;

“permeability” of a space means the ratio of the volume within that space which is assumed to be occupied by water to the total volume of that space;

“ppm” means parts per million;

“product carrier” means an oil tanker engaged in the trade of carrying oil other than crude oil;

“Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters” means Resolution A393(XI) of that title adopted by the International Maritime Organisation as modified by the Marine Environment Protection Committee’s Resolution 60(33) contained in the 1987 Edition of Oily Water Separators and Monitoring Equipment published by that Organisation;

“segregated ballast” means the ballast water introduced into a tank which is completely separated from the cargo oil and oil fuel system and which is permanently allocated to the carriage of ballast or to the carriage of ballast or cargoes other than oil or noxious liquid substances;

“separating equipment” means either separators or filters, or any combination of them, which are designed to produce effluent containing not more than 100 ppm of oil;

“ship” means a vessel of any type whatsoever operating in the marine environment including waters navigable by sea-going vessels and includes

submersible craft, floating craft and a structure which is a fixed or floating platform but excludes hovercraft;

“slop tank” means a tank specifically designed for the collection of tank drainings, tank washings and other oily mixtures;

“special area” means a sea area where, for recognised technical reasons in relation to its oceanographically and ecological condition and to the particular character of its traffic, the adoption of special mandatory methods for the prevention of sea pollution by oil is required;

“Specifications for Oil Tankers with Dedicated Clean Ballast Tanks” means the International Maritime Organisation’s Resolution Number A495 (XII) contained in the 1982 edition of Dedicated Clean Ballast Tanks published by that Organisation;

“Specifications for Oil or Water Interface Detectors” means the International Maritime Organisation’s Resolution Number MEPC 5(XIII), contained in the 1987 edition of Oily or Water Separators and Monitoring Equipment, published by that Organisation;

“Specifications for the Design, Operation and Control of Crude Oil Washing Systems”, means the International Maritime Organisation’s Resolution Number A446(XI) contained in the 1983 edition of Crude Oil Washing Systems, published by that Organisation;

“surveyor” means a surveyor appointed by a Certifying Authority;

“tank” means an enclosed space which is formed by the permanent structure of a ship and which is designed for the carriage of liquid in bulk;

“volume” in relation to a ship shall be calculated in all cases to moulded lines;

“wing tank” means any tank adjacent to the side shell plating.

Application

3.-(1) Unless expressly provided otherwise, these Regulations apply to-

- (a) Tanzania Zanzibar ships;
- (b) other ships while they are within Zanzibar or the territorial sea thereof; and

(c) Government ships registered in the Zanzibar.

(2) These Regulations shall not apply to any warship, naval auxiliary or other ship owned or operated by a Zanzibar and used, for the time being, only on government non-commercial service.

(3) The Registrar of Ships may exempt a ship of a new type whose constructional features are such as to render the application of any of the provisions of these regulations relating to construction and equipment unreasonable or impracticable from those provisions, provided that the construction and equipment of that ship provides equivalent protection against pollution by oil, having regard to the service for which it is intended.

(4) In ships, other than oil tankers, fitted with cargo spaces which are constructed and used to carry oil in bulk of an aggregate capacity of 200 cubic metres or more, the requirements of these Regulations for oil tankers shall also apply to the construction and operation of these spaces, except that where such aggregate capacity is less than 1,000 cubic metres it shall be sufficient to comply with those requirements.

(5) The Registrar of Ships may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of ships or individual ships on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

Equivalents

4. The Registrar of Ships may permit any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by these Regulations if such fitting, material, appliance or apparatus is at least as effective as that required by these Regulations, but shall not permit the substitution of operational methods to control the discharge of oil as being equivalent to those design and construction features which are prescribed by these Regulations.

PART TWO

SURVEYS, CERTIFICATES AND OIL RECORD BOOK

Surveys before
issue of a
Certificate

5.-(1) The owner of oil tanker of 150 GT and above shall be subjected-

- (a) to a survey before the ship is put into service or before an IOPP Certificate in respect of the ship is issued for the first time by a surveyor appointed by the Authority;
- (b) to a renewal survey within five years of the first issue of an IOPP Certificate and at intervals not exceeding five years thereafter by a surveyor appointed by a Certifying Authority.

(2) The surveyor shall survey the ship and satisfy himself that its structure, equipment, systems, fittings, arrangements and material are in accordance with the requirements of these Regulations and that the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, crude oil washing systems, oily water separating equipment and oil filtering systems are in good working order.

(3) The initial and any renewal survey to be carried out under this regulation shall be in accordance with the procedures laid down by the law.

Annual Survey

6.-(1) The owner of ship in respect of which an IOPP Certificate has been issued shall, so long as the certificate remains in force, cause the ship to be subject to an annual survey, which shall be carried out within three months before or after the anniversary date of the IOPP Certificate, provided that no annual survey shall be required when the intermediate survey pursuant to regulation 7 of these Regulations is carried out within three months before or after the anniversary date of the IOPP Certificate.

(2) The surveyor shall survey the ship and satisfy himself-

- (a) that those parts of the ship and its equipment are the subject of the survey remain efficient; and
- (b) that no material alterations have been made in the structure, equipment, systems, fittings, arrangements and materials to which the IOPP Certificate relates without the approval of the Registrar of Ships.

(3) On completion of the survey the Surveyor shall, if it is in order to do so, endorse the IOPP Certificate to that effect.

Intermediate
Survey

7.-(1) The owner of the ship in respect of which an IOPP Certificate has been issued shall, so long as the Certificate remains in force, cause the ship to be subject to an intermediate survey during the period of validity of the Certificate, and this intermediate survey shall be held not earlier than six months before and not later than six months after the half-way date of the period of validity of the Certificate.

(2) The Surveyor shall survey the ship and satisfy himself-

(a) that those parts of the ship and its equipment are the subject of the survey are in good working order and fully comply with these regulations;

(b) that no material alterations have been made in the structure, equipment, systems, fittings, arrangements and material to which the IOPP Certificate relates without the approval of the Registrar of Ships.

(3) On completion of the survey, the surveyor shall, if it is in order to do so, endorse the IOPP Certificate to that effect.

Issue and
duration of
Certificate

8.-(1) When it is in order to do so the Registrar of Ships, or as the case may be a Certifying Authority, shall issue to the ship an appropriate Certificate which in the case of an oil tanker of 150 GT and above and any other ship of 400 GT and above which is engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention, is an IOPP Certificate.

(2) The Registrar of Ships may request through, the Government of a Convention country to survey a ship and if satisfied that the provisions of the Convention are complied with, to issue or authorise the issue of an IOPP Certificate to the ship.

(3) A Certificate so issued shall contain a statement that it has been issued in accordance with such a request, and it shall have the same effect as a Certificate issued under sub regulation (1) of this regulation and shall be in the form PA 01 as shown in the First Schedule of these regulations.

(4) The Registrar of Ships may at the request of a Government of a Convention country survey a ship registered in that State and if satisfied that

the provisions of the Convention are complied with, issue an IOPP Certificate to that ship, a Certificate issued in accordance with such a request shall contain a statement that it has been so issued and shall have the same effect as if it was issued by that Government and not by the Registrar of Ships.

(5) The IOPP Certificate for ships other than oil tankers and the IOPP Certificate for oil tankers shall be in the form prescribed by the Convention and shall be in a form prescribed by the Registrar of Ships which shall be valid for a period not exceeding five years from the date of issue.

(6) The Certificates referred to in the sub regulation (1) of this regulation, shall be supplemented by a Record of Construction and Equipment in the case of an international certificate in the form prescribed by the Convention, approved by the Registrar of Ships and shall be in the form PA 02 as shown in the Second Schedule of these regulations.

(7) A Certificate shall cease to be valid-

(a) if without the approval of the Registrar of Ships or, as the case may be, a Certifying Authority significant alteration has been made to the construction, equipment, systems, fitting arrangements or material required by these Regulations, other than the direct replacement of such equipment or fittings;

(b) in the case of an IOPP Certificate, if the intermediate survey is not carried out within the period specified in regulation 7 of these Regulations; or

(c) when the ship transfers to the flag of another State.

(8) The appropriate Certificate shall be kept on board every ship which is either an oil tanker of 150 GT or above or any other ship of 400 GT or above, and shall be available for inspection at all reasonable times.

Responsibilities
of owner and
master

9.-(1) The owner and master of every ship shall each ensure that the condition of the ship and its equipment is maintained so as to comply with the relevant provisions of these Regulations no material change is made in the structure, equipment, systems, fittings, arrangements or material subject to such survey without the approval of the Registrar of Ships.

(2) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the integrity of a ship or the efficiency or completeness of its equipment-

(a) the master or if the master fails to do so, the owner shall report it at the earliest opportunity to the Registrar of Ships who may cause investigations to be initiated to determine whether a survey by a surveyor is necessary and who may in that event require such a survey to be carried out; and

(b) if the ship is in a port of a Convention country the master or if the master fails to do so, the owner shall in addition make such a report immediately to the appropriate authorities of the country in which the port is situated.

(3) If an accident has occurred to or a defect has been discovered in or on any ship of a country and the accident or defect is such as to affect the integrity of the ship or the efficiency or completeness of its equipment, the owner or if he fails to do so, the master shall make a report immediately to the Registrar of Ships and to the authority responsible for issuing the IOPP Certificate to the ship.

(4) The owner or if he fails to do so, the master shall report the results of any investigation or survey initiated by the authority responsible for issuing the IOPP Certificate to the ship to the Registrar of Ships, who may cause the ship to be detained until such a report has been made.

(5) If within a reasonable period the Registrar of Ships is not satisfied that a full and proper report has been made to the authority responsible for issuing an IOPP Certificate to the ship, or that the action taken is not sufficient to restore the integrity of the ship or the efficiency or completeness of its equipment, he may take such steps as will ensure that the ship shall not sail until it can proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(6) Without prejudice to any other action he may take, the Registrar of Ships may request the authority responsible for issuing the IOPP Certificate to the ship to carry out such surveys and inspections as it may consider to be necessary to establish that the condition of the ship is such that it can proceed to sea without presenting an unreasonable threat of harm to the marine

environment.

Procedure to be adopted when corrective action is necessary

10.-(1) In any case where the Certifying Authority determines that the condition of a ship or its equipment does not correspond with the particulars of the IOPP Certificate or is such that the ship is not fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment, the Certifying Authority shall advise the owner or master of the corrective action which in its opinion is required, and shall give notice thereof to the Registrar of Ships.

(2) If such corrective action is not taken within a reasonable period as the Certifying Authority may specify, the Certifying Authority shall, at the end of that time, immediately notify the Registrar of Ships who may, on receipt of such notification, suspend the validity of the IOPP Certificate issued to the ship and shall give notice of any such suspension to the owner and to the Certifying Authority.

(3) The master shall thereupon deliver the Certificate issued to the Certifying Authority on demand.

(4) Where the ship is in a port of a Convention country and corrective action in accordance with sub regulation (1) of this regulation, has not been taken, the Certifying Authority shall in addition immediately notify the appropriate authorities of the country in which the port is situated.

(5) Where, in the case of a ship of a Convention country is in a port, the nominated surveyor or the recognized organisation responsible for issuing the IOPP Certificate to the ship determines that it is necessary to withdraw the certificate, a report shall, unless made by the nominated surveyor or recognized organisation, be made by the master of the ship to the Registrar of Ships.

(6) The Registrar of Ships may then take such steps as will ensure that the ship shall not sail until it can proceed to sea or leave the port for the purposes of proceeding to the nearest appropriate repair yard available without presenting an unreasonable threat of harm to the marine environment.

Oil Record Book

11.-(1) Every ship of 400 GT and above, other than an oil tanker, and every oil tanker of 150 GT and above shall be provided with an Oil Record Book which shall be in the form PA 03 as shown in the Third Schedule of

these regulations.

(2) The Oil Record Book shall be completed on each occasion, on a tank-to-tank basis if appropriate, whenever any of the following operations take place in the ship-

(a) for machinery space operations (all ships)-

- (i) ballasting or cleaning of oil fuel tanks;
- (ii) discharging ballast or cleaning water from oil fuel tanks;
- (iii) disposing oily residues (sludge);
- (iv) discharging overboard bilge water which has accumulated in machinery spaces;

(b) for cargo or ballast operation (oil tankers)-

- (i) loading oil cargo;
- (ii) internal transfer of oil cargo during voyage;
- (iii) unloading oil cargo;
- (iv) ballasting cargo tanks and dedicated clean ballast tanks;
- (v) cleaning cargo tanks including crude oil washing;
- (vi) discharging ballast except from segregated ballast tanks;
- (vii) discharging water from slop tanks;
- (viii) closing, after the discharge of the contents of the slop tanks, all valves or similar devices opened to permit such operations;
- (ix) closing those valves necessary for the isolation of dedicated clean ballast tanks from cargo and stripping lines after slop tank discharge operations; and

(x) disposing residues.

(3) In the event of a discharge of oil or oily mixture as is referred to in regulation 12 of these Regulations or in the event of an accidental or other exceptional discharge of oil not accepted by that regulation, a statement shall be made in the Oil Record Book of the circumstances of, and the reasons for, the discharge.

(4) Each operation described in sub regulation (2) of this regulation, shall be fully recorded without delay in the Oil Record Book so that all entries in the book appropriate to that operation are completed and operation shall be signed by the officer or officers in charge of the operations concerned and each completed page shall be signed by the master.

(5) The Oil Record Book shall be kept in such a place as to be readily available for inspection at all reasonable times and, except in the case of unmanned ships under tow, shall be kept on board and it shall be preserved for a period of three years after the last entry has been made.

(6) The Registrar of Ships or a person authorised by the Certifying Authority may inspect the Oil Record Book on board whilst the ship is in a port or offshore terminal 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 and any such copy shall be admissible in any judicial proceedings as evidence of the facts stated in the entry.

(7) The inspection of an Oil Record Book and the taking of a certified copy by the Registrar of Ships, or a person so authorised, under this regulation shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

PART THREE
REQUIREMENTS FOR CONTROL OF OPERATIONAL POLLUTION
CONTROL OF DISCHARGE OF OIL

General
exceptions

12. The provisions of regulations 13, 14 and 17 of these Regulations shall not apply to-

(a) any discharge into the sea of oil or oily mixture necessary for

the purpose of securing the safety of a ship or saving life at sea; or

- (b) any discharge into the sea of oil or oily mixture which results from damage to a ship or its equipment provided that-
 - (i) all reasonable precautions were taken after the damage, or discovery of the discharge, to prevent or minimise the discharge; and
 - (ii) the owner or the master did not act either with intent to cause damage or recklessly and with knowledge that damage would probably result; or
- (c) any approved discharge into the sea of substances containing oil, when being used for the purpose of combating specific pollution incidents in order to minimise the damage from pollution and such discharge shall be subject to the approval of any Government in whose jurisdiction it is contemplated the discharge will be made.

Ships other than oil tankers and machinery space bilges of oil tankers

13.-(1) Subject to regulation 12 of these Regulation, this regulation applies to-

- (a) Tanzania Zanzibar ships other than oil tankers; and
- (b) Tanzania Zanzibar oil tankers in relation to discharges from their machinery space bilges (unless mixed with oil cargo residue) but excluding cargo pump room bilges;

wherever they may be, and-

(a) subject to regulation **39** of these Regulations, to-

- (i) other ships, other than oil tankers; and
- (ii) other oil tankers, in relation to discharges from their machinery space bilges (unless mixed with oil cargo residue) but excluding cargo pump room bilges,

wherever they may be.

(2) Subject to sub regulation (3) of this regulation, a ship to which this regulation applies shall not discharge oil or oily mixture into any part of the sea unless all the following conditions are satisfied-

- (a) the ship is proceeding on a voyage;
- (b) the ship is not within a special area;
- (c) the oil content of the effluent does not exceed 15ppm; and
- (d) the ship has in operation the filtering equipment and the oil discharge and monitoring and control system, required by regulation 15 of these Regulations.

(3) In the case of a ship referred to in regulation 15 of these Regulations which by virtue of that regulation is not required to be fitted and is not in fact fitted with the equipment required by regulation 15(1), (2) or (3) of these Regulations, sub regulation (2) of this regulation shall not apply until the date on which the vessel is so fitted.

(4) The ship shall not, until the date referred to under paragraphs (a) and (b) of sub regulation (3) of this regulation, discharge oil or oily mixture into the sea unless all the following conditions are satisfied-

- (a) the ship is not within a special area;
- (b) the ship is more than 12 miles from the nearest land;
- (c) the ship is proceeding on a voyage;
- (d) the oil content of the effluent is less than 100ppm; and
- (e) the ship has in operation approved oily-water separating equipment of a design which is approved in accordance with the specification set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters.

(5) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purpose of circumventing the conditions of discharge prescribed by this regulation.

(6) Insofar as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea in compliance with sub regulation (2) or (3) of this regulation, it shall be retained on board and discharged into reception facilities.

(7) Subject to sub regulation (8), this regulation does not apply to discharges which occur landward of the line which for the time being is the baseline for measuring the breadth of the territorial waters of the United Republic of Tanzania.

(8) Notwithstanding sub regulation (7) of this regulation, discharges prohibited under sub regulation (4) shall continue to be prohibited when made in the sea on the landward side of the line referred to in sub regulation (7) of this regulation.

Oil Tankers

14.-(1) Subject to regulation 12 of these Regulations, this regulation shall apply to-

(a) every oil tanker; and

(b) subject to regulation 39 of these Regulations, every other oil tanker wherever it may be.

(2) Subject to sub regulation (3) of this regulation, an oil tanker to which this regulation applies shall not discharge any oil or oily mixture (except those for which provision is made in regulation 13 of these Regulations) into any part of the sea unless all the following conditions are satisfied-

(a) the tanker is proceeding on a voyage;

(b) the tanker is not within a special area;

(c) the tanker is more than 50 miles from the nearest land;

- (d) the instantaneous rate of discharge of oil content does not exceed 30 litres per mile;
- (e) the total quantity of oil discharged into the sea does not exceed 1/3,00000 of the total quantity of the particular cargo of which the residue formed a part, or, in the case of existing tankers, the total quantity of oil discharged does not exceed 1/1,500 of the total quantity of the particular cargo of which the residue formed a part; and
- (f) the tanker has in operation an oil discharge monitoring and control system and a slop tank arrangement as required by regulation 16 of these Regulations.

(3) The provisions of sub regulation (2) of this regulation, shall not apply to the discharge of clean or segregated ballast or unprocessed oily mixture which without dilution has an oil content not exceeding 15 ppm and which does not originate from cargo pump room bilges and is not mixed with oil cargo residues.

(4) No discharge into the sea shall contain chemicals or other substances in quantities or concentrations which are hazardous to the marine environment or contain chemicals or other substances introduced for the purposes of circumventing the conditions of discharge prescribed by this regulation.

(5) Insofar as any oil or oily mixture has not been unloaded as cargo and may not be discharged into the sea in compliance with sub regulation (2) of this regulation, it shall be retained on board and shall be discharged into reception facilities.

(6) Subject to sub regulation (7), this regulation shall not apply to discharges which occur landward of the line which for the time being is the baseline for measuring the breadth of the territorial waters of the United Republic of Tanzania.

(7) Notwithstanding sub regulation (6), discharges prohibited under sub regulation (4) of this regulation, shall continue to be prohibited when made in the sea on the landward side of the line referred to in sub regulation (6).

Oil filtering equipment and oil discharge monitoring and control system

15.-(1) Subject to sub regulations (3) and (7) of this regulation, every ship of 400 GT and above but less than 10,000 GT shall be fitted with oil filtering equipment complying with sub regulation (5), and any such ship which carries ballast water in its bunker fuel tanks-

- (a) in addition, shall be provided with an alarm device and the means for automatically stopping and discharge of oily mixture when the oil content in the effluent exceeds 15 ppm complying with the specifications referred to in sub regulation (6); and
- (b) shall not discharge such ballast water into the sea unless using that equipment and a record of any such discharge shall made in the Oil Record Book; or

shall discharge the ballast water to reception facilities.

(2) Subject to sub regulations (2) and (6) of this regulation, every ship which is of 10,000 GT and above shall be provided with-

- (a) oil filtering equipment complying with sub regulation (5) of this regulation; and
- (b) oil content measuring equipment fitted with an 15ppm alarm device and with arrangements for automatically stopping any discharge of oily mixture when the oil content in the effluent exceeds 15 ppm, both complying with sub regulation (6) of this regulation.

(3) The Registrar of Ships may waive the requirements in sub regulations (1) and (2) of this regulation, if a ship is engaged exclusively on voyages within special areas and-

- (a) it is fitted with a holding tank having a volume adequate for the retention on board of all oily bilge water;
- (b) all oily bilge water is retained on board for subsequent discharge to reception facilities;

- (c) adequate reception facilities are available to receive such oily bilge water in a sufficient number of ports or terminals that the ship calls at;
- (d) the IOPP Certificate, when required, is endorsed to the effect that the ship is exclusively engaged on voyages within special areas; and
- (e) the relevant entries are recorded in the Oil Record Book.

(4) Subject to sub regulation (7) of this regulation, every ship which is of less than 400 GT shall, so far as reasonably practicable be constructed to ensure that oil or oily mixtures are retained on board and discharged to reception facilities or, if oil or oily mixtures are to be discharged into the sea, are so discharged in accordance with the requirements of regulation 13(2) of these Regulations.

(5) Oil filtering equipment shall be of an approved design in accordance with the specification for such equipment set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters.

(6) Oil content measuring equipment and alarm device shall be of an approved design in accordance with the specification for such equipment set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters, and the arrangements for automatically stopping any discharge shall be of an approved design.

(7) A ship delivered before 6th July 1993 need not comply with the foregoing requirements before 6th July 1998, but, if the ship does not so comply before that date, it shall be fitted with oily-water separating equipment which is such as to ensure that any oily mixture discharged into the sea after passing through the equipment has an oil content not exceeding 100 ppm.

Retention of oil on board

16.-(1) Subject to the provisions of sub regulations (5) and (6), oil tankers of 150 GT and above shall comply with the requirements of sub regulations (2) and (3) of these Regulations.

(2) An adequate means shall be provided for cleaning the cargo tanks and transferring the dirty ballast residues and tank washings from the cargo tanks into a slop tank, and in existing oil tankers, any cargo tank may be designated as a slop tank.

(3) The arrangements shall be provided to transfer the oil waste into a slop tank or combination of slop tanks in such a way that any effluent discharges into the sea will be such as to comply with regulation 14 of these Regulations.

(4) The slop tank or combination of slop tanks provided shall have sufficient capacity to retain the slops generated by tank washings, oil residues and dirty ballast residues; and that capacity shall be not less than 3 per cent of the cargo oil carrying capacity of the ship unless-

- (a) segregated ballast tanks or dedicated clean ballast tanks are provided in accordance with regulation 19, or a cargo tank cleaning system using crude oil washing, in accordance with regulation 22 and in that event the total capacity of the slop tank or tanks may be reduced to 2 per cent of the oil carrying capacity of the ship;
- (b) in the case of combination carriers, the oil cargo is carried in tanks with smooth walls, when the said total capacity may be reduced to 1 per cent of the oil carrying capacity of the ship;

Provided that, where the tank washing arrangements are such that, once the slop tank or tanks are charged with washing water, this water is sufficient for the tank washing and, where applicable, for providing the driving fluid for the pumps (including eductors) without the introduction of additional water into the system, the above figures of 3 per cent, 2 per cent and 1 per cent may be reduced to 2 per cent, 1.5 per cent and 0.8 per cent respectively.

(5) The Slop tanks shall be so designed, particularly as regards the position of inlets, outlets, baffles or weirs (where fitted), as to avoid excessive turbulence and entrainment of oil or emulsion with water.

Control system
of oil discharge

17.-(1) The New oil tankers of 70,000 tons deadweight and above shall be provided with at least two slop tanks and oil discharge monitoring and control system of an approved design shall be fitted which designed and

installed in accordance with the Guidelines and Specification for Oil Discharge and Control Systems for Oil Tankers.

(2) Any such system shall be fitted with a recording device to provide, unless otherwise required by the Guidelines and Specifications referred to in regulation 16 of these Regulations, a continuous record of the discharge of oil in litres per mile and the total quantity of oil discharged or, in lieu of the total quantity of oil discharged, the oil content and rate of discharge of the effluent and the record shall be identifiable as to the time and date and be kept for at least three years.

(3) The system shall be brought into operation when there is a discharge of effluent into the sea and shall be such as to ensure that any discharge of oily mixture is, unless otherwise permitted by the Guidelines and Specifications referred to in regulation 16 of these Regulations, automatically stopped when the instantaneous rate of discharge of oil exceeds 30 litres per mile.

(4) Upon any failure of the system the discharge shall be stopped and the failure noted in the Oil Record Book and a manually operated alternative system shall be provided and may be used in the event of such a failure, but the defective unit shall be made operable as soon as possible and if a tanker with a defective unit is within the Tanzania Zanzibar or the territorial sea waters thereof, the Registrar of Ships may allow the tanker to undertake one ballast voyage before proceeding to a repair port.

(5) Effective oil or water interface detectors, of a design approved in accordance with the Specifications for Oil or Water Interface Detectors, shall be provided for the rapid and accurate determination of the oil or water interface in slop tanks and in other tanks where the separation of oil and water is effected and from which it is intended to discharge effluent direct to the sea.

(6) Approved instruction manuals on the operation and maintenance of the various components comprising the oil discharge monitoring and control system shall be provided, which shall contain information on manual as well as automatic operation and shall be so drawn up as to ensure that at no time will oil be discharged except in compliance with the conditions specified in regulation 14 of these Regulations.

(7) Oil tankers of less than 150 GT pursuant to regulation 14 shall retain oil and all contaminated washings on board for subsequent discharge to reception facilities, the total quantity of oil and water used for washing and returned to a storage or slop tank shall be recorded in the Oil Record Book and this total quantity shall be discharged to reception facilities unless adequate arrangements are made to ensure that any effluent which is discharged into the sea is effectively monitored to ensure that the provisions of regulation 13 are complied with.

PART FOUR REQUIREMENTS FOR THE SEGREGATION OF CARGO

General
application
New tankers of
20,000 tons
deadweight and
above

18.-(1) Every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 30,000 tons deadweight and above shall be provided with segregated ballast tanks and shall comply with the requirement of this regulation.

(2) The capacity of the segregated ballast tanks shall be such that the ship can operate safely on ballast voyages without recourse to the use of cargo tanks for water ballast except as provided for in sub regulation (4) or (5) of this regulation.

(3) Subject to sub regulation (2), the capacity of the segregated ballast tanks shall be at least such that, in any ballast condition at any part of the voyage, including the condition consisting of lightweight plus segregated ballast only, the ship's draughts and trim can meet each of the following requirements-

- (a) the moulded draught amidships (dm) in metres (without taking into account any ship's deformation) shall not be less than $2.0+0.02L$;
- (b) the draughts at the forward and after perpendiculars shall correspond to those determined by the draught amidships (dm) as specified in subparagraph (a), in association with the trim by the stern of not greater than 0.015L; and
- (c) in any case the draught at the after perpendicular shall not be less than that which is necessary to obtain full immersion of the propeller.

(4) In no case shall ballast water be carried in cargo tanks, except-

- (a) on those voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship;
- (b) where the particular character of the operation of an oil tanker renders it necessary to carry ballast water in excess of the quantity which may be carried in segregated ballast tanks under sub regulation (2), provided that the Registrar of Ships has approved that method of operation.

any such additional ballast water shall be processed and discharged in accordance with the requirements of regulations 13 and 15 and an entry of the discharge shall be made in the Oil Record Book.

(5) In the case of new crude oil tankers, the additional ballast permitted by sub regulation (3) shall be carried only in cargo tanks that have been crude oil washed in accordance with regulation 21 before departure from an oil unloading port or terminal.

(6) Notwithstanding the provisions of sub regulation (2) the capacity of the segregated ballast tanks for new oil tankers less than 150 metres in length shall be as may be determined by the Registrar of Ships.

(7) Every new crude oil tanker of 20,000 tons deadweight and above shall be fitted with a cargo tank cleaning system using crude oil washing and the system shall fully comply with the requirements of regulation 21 within one year after the tanker is first engaged in the trade of carrying crude oil or by the end of the third voyage carrying crude oil suitable for crude oil washing, whichever occurs later.

Protective
location of
segregated
ballast spaces

19. In every new crude oil tanker of 20,000 tons deadweight and above and every new product carrier of 30,000 tons deadweight and above, the segregated ballast tanks required to provide the capacity to comply with regulation 18 which are located within the cargo tank length shall be arranged, in accordance with the requirements of the Fourth Schedule to provide a measure of protection against oil outflow in the event of grounding or collision.

Requirements
for oil tankers
with dedicated
clean ballast
tanks

20.-(1) An oil tanker operating with dedicated clean ballast tanks in accordance with the provisions of regulation 18 shall have adequate tank capacity, dedicated solely to the carriage of clean ballast to meet the requirements of regulations 18(2) and (3) as those provisions apply to segregated ballast tanks.

(2) The arrangements and operational procedures for dedicated clean ballast tanks shall comply with the requirements of Specifications for Oil Tankers with Dedicated Clean Ballast Tanks.

(3) An oil tanker operating with dedicated clean ballast tanks shall be equipped with an oil content meter approved in accordance with the specification for such equipment set out in the Recommendations on International Performance and Test Specifications for Oily Water Separating Equipment and Oil Content Meters, so as to permit supervision of the oil content in the ballast water being discharged.

(4) Every oil tanker operating with dedicated clean ballast tanks shall be provided with a dedicated Clean Ballast Tank Operation Manual approved by the Authority which shall contain the detail system and specifying operational procedures.

Requirements
for crude oil
washing

21.-(1) Every crude oil washing system required to be provided in accordance with regulation 18 shall comply with the requirements of this regulation.

(2) The crude oil washing installation and associated equipment and arrangements including qualification of personnel shall comply with the requirements and specifications set out in Specifications for the Design, Operation and Control of Crude Oil Washing Systems.

(3) With respect to the ballasting of cargo tanks, sufficient cargo tanks shall be crude oil washed prior to each ballast voyage to ensure that, taking into account the tanker's trading pattern and expected weather conditions, ballast water will be put only into cargo tanks which have been crude oil washed.

(4) Every oil tanker operating with crude oil washing system shall be provided with an Operations and Equipment Manual approved by the

Authority, describing the system and equipment in detail and specifying the operational procedures to be followed.

Existing oil tankers engaged in specific trades

22.-(1) Subject to the provisions of regulations 18 shall not apply to an existing oil tanker engaged solely in specific trades between-

- (a) ports or terminals within a Convention Country; or
- (b) ports or terminals between two or more Convention Countries, where-
 - (i) the voyage is entirely within a Special Area as defined in regulation 16; or
 - (ii) the voyage is entirely within other limits designated by the Registrar of Ships.

(2) The provisions of sub regulation (1) of this regulation, shall apply only when the ports or terminals where the cargo is loaded on such voyages are provided with reception facilities adequate for the reception and treatment of all the ballast and tank washing water from oil tankers using them and all the following conditions are complied with-

- (a) subject to any exceptions provided for in these Regulations, all ballast water, including clean ballast water, and tank washing residues shall be retained on board until they are transferred to the said reception facilities, and the entry relating to the transfer in the Oil Record Book shall be endorsed by a competent authority appointed by the Convention Country;
- (b) agreement has been reached between the Registrar of Ships and the Governments of the Convention Country on the use of an existing oil tanker for such a trade;
- (c) the adequacy of reception facilities in accordance with any Regulations relating to reception facilities at the ports or terminals referred to above, shall be approved by the governments of the Convention Countries within which those ports or terminals are situated; and

(d) the IOPP Certificate has been endorsed to the effect that the oil tanker is solely engaged in such specific trade.

Existing oil tankers having special ballast arrangements

23.-(1) Where an existing oil tanker of 40,000 deadweight tons and above is so constructed or operates in such a manner that it complies at all times with the draught and trim requirements set out in regulation 18 of these Regulations, without recourse to the use of ballast water, it shall be deemed to comply with the segregated ballast tank requirements, provided that all the following conditions are complied with-

- (a) the operational procedures and ballast arrangements have been approved;
- (b) when the draught and trim requirements are achieved through an operational procedure, agreement as to the use of that procedure has been reached between the Registrar of Ships and the Governments of the Convention Countries concerned; and
- (c) the IOPP Certificate has been endorsed to the effect that the oil tanker is operating with special ballast arrangements.

(2) In no case shall ballast be carried in cargo oil tanks except on those voyages when weather conditions are so severe that, in the opinion of the master, it is necessary to carry additional ballast water in cargo tanks for the safety of the ship, such additional ballast water shall be discharged in compliance with these Regulations and the discharge of such water shall be entered in the Oil Record Book.

Segregation of oil and water ballast and carriage of oil in forepeak tanks

24.-(1) Except as provided in sub regulation (2) of this regulation, in new ships of 4,000 GT and above other than oil tankers, and in new oil tankers of 150 GT and above, no ballast water shall be carried in any oil fuel tank.

(2) Where abnormal conditions or the need to carry large quantities of oil fuel render it necessary for ships referred to in sub regulation (1) of this regulation to carry ballast water which is not clean ballast water in any oil fuel tank, such ballast water shall be discharged to reception facilities or into the sea in compliance with the requirements of these Regulations using the equipment specified herein and the discharge shall be entered in the Oil Record Book.

(3) All other ships shall comply with the requirements of sub regulation (1) so far as it is reasonable and practicable to do so.

Tanks for oil residue (sludge)

25.-(1) Every ship of 400 GT and above shall be provided with a tank or tanks of adequate capacity, having regard to the type of machinery installed and length of voyage, to receive any oily residues (sludges) which cannot be dealt with in accordance with the requirements of these Regulations, such as those resulting from the purification of fuel and lubricating oils and oil leakages in the machinery spaces.

(2) In new ships, such tanks shall be designed and constructed so as to facilitate their cleaning and the discharge of residues to reception facilities and existing ships shall comply with this requirement so far as it is reasonable and practicable to do so.

(3) Every ship to which this regulation applies shall be provided with piping to enable residues from machinery spaces and machinery space bilges to be pumped to a reception facility and the piping shall be led to the open deck and there fitted with a standard flange in accordance with dimensions given in Fifth Schedule of these Regulations.

(4) Piping to and from sludge tanks shall have no direct connection overboard other than the discharge connection required by sub regulation (3) of this regulation.

Pumping, piping and discharge arrangements of oil tankers

26.-(1) In every oil tanker, a discharge manifold for the discharge of dirty ballast water or oil contaminated water to reception facilities shall be located on the open deck on both sides of the ship.

(2) In every oil tanker, pipelines for any discharge to the sea of ballast or oil contaminated water from cargo tank areas which may be permitted under regulations 12, 13 or 16 of these Regulations, shall be led to the open deck or to the ship's side above the waterline in the deepest ballast condition, or, subject to the approval of the Authority, below the waterline-

(a) to enable such discharges below the waterline as are permitted under sub regulation (7) of this regulation to be made; and

(b) where the discharge outlet is located above the departure ballast

waterline but not above the waterline in the deepest ballast condition.

(3) In new oil tankers, means shall be provided for stopping the discharge into the sea of ballast water or oil contaminated water from cargo tank areas, other than those discharges below the waterline permitted under sub regulation (7) of this regulation, from a position on the upper deck or above, and so located that the manifold and the discharge to the sea from the pipe lines may be visually observed.

(4) The means for stopping the discharge may be situated elsewhere than at the observation position if an effective communication system, such as a telephone or radio system, is provided between the observation position and the discharge control position.

(5) Every new oil tanker required to be provided with segregated ballast tanks or fitted with a crude oil washing system shall comply with the following requirements-

- (a) it shall be equipped with oil piping so designed and installed that oil retention in the lines is minimized; and
- (b) means shall be provided to drain all cargo pumps and all oil lines at the completion of cargo discharge where necessary by connection to a stripping device,

so designed that the line and pump drainings shall be capable of being discharged both ashore and to a cargo tank or a slop tank and for discharge ashore a special small diameter line shall be provided and connected outboard of the deck manifold valves, both port and starboard.

(6) Every existing crude oil tanker required to be provided with segregated ballast tanks, or to be fitted with a crude oil washing system or to operate with dedicated clean ballast tanks shall comply with the provisions of sub regulation (5)(b) of this regulation.

(7) The ballast water or oil contaminated water from the cargo tank areas of any oil tanker shall be discharged only above the waterline, except that segregated ballast and clean ballast may be discharged below the waterline in ports or at offshore terminals or at sea by gravity, provided that

the surface of the ballast water has been examined immediately before the discharge to ensure that no contamination with oil has taken place.

(8) The existing oil tankers which, without modification, are not capable of discharging segregated ballast above the waterline may discharge segregated ballast below the waterline at sea, provided that the surface of the ballast water has been examined immediately before the discharge to ensure that no contamination with oil has taken place.

(9) The existing oil tankers operating with dedicated clean ballast tanks which without modification are not capable of discharging ballast water from the dedicated clean ballast tanks above the waterline, may discharge this ballast below the waterline provided that the discharge of the ballast water is supervised with the aid of an oil content meter as provided for in regulation 20(3) of these Regulations.

(10) The dirty ballast water or oil contaminated water from tanks in the cargo area of an oil tanker at sea, other than slop tanks, may be discharged by gravity below the waterline, provided that sufficient time has elapsed in order to allow oil or water separation to have taken place and the ballast water has been examined immediately before the discharge with an oil or water interface detector of the kind referred to in regulation 15(3) of these Regulations, in order to ensure that the height of the interface is such that the discharge does not involve any increased harm to the marine environment.

(11) The dirty ballast water or oil contaminated water from cargo tank areas of an existing oil tanker may be discharged below the waterline, subsequent to or in lieu of discharge by the method referred to in sub regulation (10), provided that-

- (a) a part of the flow of such water is led through permanent piping to a readily accessible location on the upper deck or above where it may be visually observed during the discharge operation; and
- (b) such part flow arrangements comply with the requirements set out in the Sixth Schedule-of these Regulations.

PART FIVE
REQUIREMENTS FOR MINIMISING OIL POLLUTION FROM OIL
TANKERS DUE TO SIDE AND BOTTOM DAMAGE

Interpretation

27. For the purposes of determining the permissible size and arrangements of cargo tanks and for assessing the standard of subdivision of oil tankers the meaning of “side and bottom damage” and “hypothetical outflow of oil” are as set out in the Seventh Schedule of these Regulations.

Limitation of size and arrangement of cargo tanks

28.-(1) Every new oil tanker shall comply with the provisions of this regulation and every existing oil tanker shall comply with the provisions of this regulation if-

- (a) the building contract for the tanker was placed after 1st January 1974; or
- (b) in cases where there was no building contract, the keel was laid or the tanker was at a similar stage of construction after 30th June 1974.

(2) The cargo tanks of oil tankers shall be of such size and arrangement that the hypothetical outflow calculated in accordance with the provisions of the Seventh Schedule of these Regulations, anywhere in the length of the ship does not exceed 30,000 cubic metres or $4003\sqrt{DW}$, whichever is the greater, but subject to a maximum of 40,000 cubic metres.

(3) The volume of any one wing cargo oil tank of an oil tanker shall not exceed 75 per cent of the limits of the hypothetical outflow referred to in sub regulation (2) of this regulation.

(4) The volume of any one centre cargo oil tank shall not exceed 50,000 cubic metres, in segregated ballast oil tankers as defined in regulation 18 the permitted volume of a wing cargo oil tank situated between two segregated ballast tanks, each exceeding L_c in length may be increased to the maximum limit of hypothetical oil outflow provided that the width of the wing tanks exceeds t_c , where t_c is defined in the Seventh Schedule of these Regulations.

(5) The length of each cargo tank shall not exceed 10 metres or one of the following values, whichever is the greater-

(a) where no longitudinal bulkhead is provided inside the cargo tanks, the lesser of-

(i) $(0.5 \frac{b_i}{B} + 0.1)L$ and;

(ii) $0.2L$;

(b) where a centreline longitudinal bulkhead is provided inside the cargo tanks-

$(0.25 \frac{b_i}{B} + 0.15)L$;

(c) where two or more longitudinal bulkheads are provided inside the cargo tanks-

(i) for wing cargo tanks-

$0.2L$;

(ii) for centre cargo tanks-

(A) if-

$\frac{b_i}{B}$

is equal to or greater than one fifth-

$0.2L$;

(B) if-

$\frac{b_i}{B}$

is less than one fifth-

where no centreline longitudinal bulkhead is provided-

$(0.5$

$(0.5 \frac{b_i}{B} + 0.1)L$

where a centreline longitudinal bulkhead is provided-

$(0.25$

$(0.25 \frac{b_i}{B} + 0.15)L$

(6) In this sub regulation “bi” is the minimum distance from the ship’s side to the outer longitudinal bulkhead of the tank in question measured inboard at right angles to the centreline at the level corresponding to the assigned summer freeboard.

(7) In order not to exceed the volume limits established under sub regulation (5) of this regulation and irrespective of the type of cargo transfer system installed, when such a system inter-connects two or more cargo tanks, valves or other similar closing devices shall be provided for separating the tanks from each other and these valves or devices shall be closed when the tanker is at sea.

(8) Lines of piping which run through cargo tanks in a position less than t_c from the ship's side or less than V_s from the ship's bottom, where V_s is defined in the appropriate Schedules to these Regulations, shall be fitted with valves or similar closing devices at the point at which they open into any cargo tank and these valves shall be kept closed at sea at any time when the tanks contain cargo oil, except that they may be opened for cargo transfer needed for the purpose of trimming of the ship.

Subdivision and stability

29.-(1) Every new oil tanker shall comply with the subdivision and damage stability criteria specified in the Eight Schedule of these Regulations

(2) The master of every new oil tanker and the person in charge of a new non-self-propelled oil tanker to which these Regulations apply shall be supplied by the owner with-

(a) information relating to loading and distribution of cargo necessary to ensure compliance with the provision of this regulation; and

(b) data on the ability of the ship to comply with the damage stability criteria prescribed by this regulation, including the effect of any lesser requirements that may have been imposed by the Registrar of Ships.

(3) The information and data referred to under sub regulation (2) (a) and (b) of this regulation, shall be supplied in an approved form as the Registrar of Ships may determine.

PART SIX
IMPROVED REQUIREMENTS FOR THE DESIGN AND CONSTRUCTION
OF OIL TANKERS AGAINST OIL POLLUTION IN THE
EVENT OF COLLISION OR STRANDING

“New” oil tankers (building contracts after 5th July 1993)

30.-(1) This regulation applies to oil tankers of 600 tons deadweight and above-

(a) for which the building contract is placed on or after 6th July 1993;

(b) in the absence of a building contract, the keel of which is laid

or which is at a similar stage of construction on or after 6th January 1994;

(c) the delivery of which is on or after 6th July 1996; or

(d) which has undergone a major conversion-

(i) for which the contract is placed after 6th July 1993;

(ii) in the absence of a contract, the construction work of which is begun after 6th January 1994; or

(iii) which is completed after 6th July 1996.

(2) Subject to sub regulations (4) and (5) of this regulation, every oil tanker of 5,000 tons deadweight and above shall comply with the requirements of sub regulation (3) and, in the case of an oil tanker in respect of which regulation 19 makes provision, compliance with the specified requirements of sub regulation (3) of this regulation, shall be instead of compliance with the requirements of that regulation.

(3) The entire cargo tank length shall be protected by ballast tanks or spaces other than cargo and fuel oil tanks, in accordance with the requirements set out in the Ninth Schedule of these Regulations.

(4) The double bottom tanks or spaces as required by sub regulation (3) may be dispensed with, if the design of the tanker meets the conditions set out in the Tenth Schedule of these Regulations.

(5) Instead of complying with the requirements of sub regulation (3) or (4) of this regulation, an oil tanker referred to in sub regulation (2) may conform to other methods of design and construction, provided that such methods-

(a) ensure at least the same level of protection against oil pollution in the event of collision or stranding; and

(b) have the approval of the Registrar of Ships based on guidelines developed by the Organisation.

(6) In an oil tanker to which this regulation applies, oil shall not be carried in any space extending forward of a collision bulkhead, and an oil tanker which is not required to have a collision bulkhead shall not carry oil in any space extending forward of the transverse plane perpendicular to the centerline that is located as if it were a collision bulkhead.

(7) In approving the design and construction of an oil tanker to which this regulation applies, the Certifying Authority shall have due regard to general safety considerations including the need for the maintenance of and for inspections of wing and double bottom tanks or spaces.

“Existing” oil Tankers (building contracts before 6th July 1993)

31.-(1) Subject to sub regulations (2) and (3), this regulation applies to every crude oil tanker of 20,000 tons deadweight and above and to every product carrier of 30,000 tons deadweight and above-

(a) for which the building contract was placed before 6th July 1993; or

(b) in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction before 6th January 1994; or

(c) the delivery of which was before 6th July 1996.

(2) This regulation does not apply (or, having applied, shall cease to apply) to a crude oil tanker or product carrier which has undergone a major conversion-

(a) for which the contract is placed after 6th July 1993; or

(b) in the absence of a contract, the construction work of which is begun after 6th January 1994; or

(c) which is completed after 6th July 1996.

(3) This regulation does not apply (or, having applied, shall cease to apply) to an oil tanker which, although not required to comply with the requirements of regulation 30-

- (a) does in fact comply with-
 - (i) the requirements of the Ninth Schedule of these Regulations;
or
 - (ii) those requirements as modified in accordance with the Tenth Schedule of these Regulations.; or
- (b) conforms to other methods of design and construction which satisfy the requirements of regulation 30(5) of these Regulations,

and, for the purposes of this regulation, an oil tanker which does not meet in all respects the requirements mentioned in sub-paragraph (a) or (b) as regards minimum distances between the cargo tank boundaries and the ship side and bottom plating shall be treated as meeting those requirements if-

- (i) the side protection distance is not less than that which the IBC Code specifies for Type 2 cargo tank location (that is to say, the said distance is nowhere less than 760mm from the shell plating); and
- (ii) the bottom protection distance is not less than the lesser of B/15 and 2 metres.

(4) In subparagraph (i) of sub regulation (3), “IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (1994 Edition) published by the Organization and includes any document amending it which is considered relevant by the Registrar of Ships and is specified in the appropriate Schedules to these Regulations.

(5) An oil tanker to which this regulation applies-

- (a) if it is a Tanzania Zanzibar ship, shall be subject to an enhanced programme of inspections during renewal, annual, and intermediate surveys conducted pursuant to these Regulations; and

- (b) if it is not a Tanzania Zanzibar ship, shall have undergone periodical, intermediate and annual surveys as provided for by the Convention,

and the scope of such surveys shall at least comply (if the tanker is a Tanzania Zanzibar ship) or have complied (if the tanker is not a Tanzania Zanzibar ship) with guidelines developed by the Organization pursuant to regulation 13G(3)(a) of the Convention.

(6) An oil tanker to which this regulation applies and which is over five years of age shall carry on board a complete file containing the reports or copies of the reports on surveys of the ship carried out pursuant to-

- (a) the requirements of these Regulations (if the tanker is a Tanzania Zanzibar ship); and
- (b) the requirements of the Convention (if the tanker is not a Tanzania Zanzibar ship);

and the file shall contain the results of all scantling measurement required and a statement of all structural work carried out and shall be available for inspection-

- (i) if the tanker is a Tanzania Zanzibar ship, by the Certifying Authority, or by the competent authority of the Government of any State which is a party to the Convention; and
- (ii) if the tanker is not a Tanzania Zanzibar ship, by a Certifying Authority.

(7) The file shall be accompanied by a condition evaluation report containing conclusions on the structural condition of the ship and its residual scantlings, and endorsed to indicate that it is considered satisfactory-

- (a) if the tanker is a Tanzania Zanzibar ship, by the Certifying Authority; and
- (b) if the tanker is not a Tanzania Zanzibar ship, by or on behalf of the Government of the State whose flag the ship is entitled to fly.

(8) The file and condition evaluation reports shall be prepared in a standard format in accordance with guidelines developed by the Organization pursuant to the said regulation 13G(3)(a) of the Convention.

(9) An oil tanker-

(a) which is not a new oil tanker; and

(b) to which this regulation still applies immediately before the expiration of 25 years from the date on which it was delivered,

shall on the expiration of that period become subject to the provisions of regulation 30(5), (6) and (7), subparagraphs 1.1 to 1.7 of the Ninth and the Tenth Schedules of these Regulations, and this regulation shall cease to apply to it.

(10) Any new ballast and load conditions resulting from the application of sub regulation (5) shall, where the oil tanker is a Tanzania Zanzibar ship, be subject to the approval of the Certifying Authority, and the Certifying Authority shall have particular regard to the longitudinal and local strength, intact stability and, if applicable, damage stability.

(11) Other structural or operational arrangements may be accepted as alternatives to the requirements of sub regulation (5) if the alternative arrangements ensure at least the same level of protection against oil pollution in the event of collision or stranding and have the approval of the Registrar of Ships (in the case of a Tanzania Zanzibar ship) or of the Government of the State whose flag the ship is entitled to fly (in the case of a ship other than a Tanzania Zanzibar ship) based on guidelines developed by the Organization pursuant to regulation 13G(7) of the Convention.

PART SEVEN OFFSHORE INSTALLATIONS

Requirements
for Offshore
Installations

32.-(1) Offshore installations, when engaged in the exploration, exploitation and associated offshore processing of sea bed mineral resources, shall comply with the requirements of these Regulations applicable to ships of 400 GT and above other than oil tankers, notwithstanding that the installations are not proceeding on a voyage, except that-

- (a) they shall be equipped as far as practicable with the systems and tanks required by regulations 14 and 25(1) and (2) of these Regulations; and
- (b) they shall keep a record of all operations involving oil or oily mixture discharges, in an approved form.

(2) Unless the discharge is one specified in regulation 11, an offshore installation when so engaged shall not discharge into the sea any oil or oily mixture with an oil content of 15ppm or more.

(3) For the purpose of this regulation-

- (a) “offshore installation” means any mobile or fixed drilling or production platform or any other platform used in connection with the exploration, exploitation or associated offshore processing of sea bed mineral resources; and
- (b) “oil or oily mixtures” means discharge associated with platform drainage and does not include production or displacement water discharge.

PART EIGHT
PREVENTION OF POLLUTION ARISING FROM AN
OIL POLLUTION INCIDENT

Shipboard oil
pollution
emergency plan

33.-(1) Every oil tanker of 150 GT and above and every ship (not being an oil tanker) of 400 GT and above shall carry on board an approved shipboard oil pollution emergency plan.

(2) The plan shall be in accordance with the guidelines for the development of shipboard oil pollution emergency plans adopted by the Marine Environment Protection Committee of the Organization on 6th March 1992 by Resolution MEPC 54(32) and includes any document amending it which is considered by the Registrar of Ships to be relevant from time to time and is specified in the appropriate Schedules to these Regulations, and the plan shall include at least-

- (a) the procedure to be followed by the master or other persons having charge of the ship to report an oil pollution incident;

- (b) the list of persons (including national and local authorities) to be contacted in the event of an oil pollution incident;
- (c) a detailed description of the action to be taken immediately by persons on board to reduce or control the discharge of oil following an incident; and
- (d) the procedures and point of contact on the ship for co-ordinating shipboard action with national and local authorities in combating the pollution.

**PART NINE
POWERS TO INSPECT, DENY ENTRY, DETENTION
AND PENALTIES**

Power to
Inspect

34.-(1) A ship to which these Regulations apply shall be subject, in any port or offshore terminal in Zanzibar, to inspections by persons appointed by the Registrar of Ships.

(2) Any such inspection shall be limited to verifying that there is on board a valid IOPP Certificate in the form prescribed by the Convention in a form prescribed by the Registrar of Ships, unless there are clear grounds for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of that Certificate.

(3) In case, or if the ship does not carry a valid certificate, the inspector shall take such steps as he may consider necessary to ensure that the ship shall not sail until it can proceed to sea without presenting an unreasonable threat of harm to the marine environment and the Registrar of Ships may in such a case permit the ship to leave the port or offshore terminal for the purposes of proceeding to the nearest appropriate repair yard.

(4) Notwithstanding sub regulation (2) of this regulation, and without prejudice to any specific control provisions over operational procedures provided for in these Regulations, the inspector may investigate any operation regulated by these Regulations if there are clear grounds for believing that the master or crew are not familiar with essential ship board procedures for preventing pollution by oil.

(5) In the event of any inspection revealing deficiencies the Inspector shall take such steps as to ensure that the ship will not sail until the situation has been brought to order in accordance with the requirements of these Regulations.

(6) Upon receiving evidence that a particular ship has discharged oil or an oily mixture contrary to the provisions of these Regulations the Registrar of Ships shall cause the matter to be investigated and shall inform the State which has reported the contravention, as well as the Organisation, of the action taken.

Power to deny entry or detain

35.-(1) If author master has reason to believe that a ship which he believes proposes to enter the author does not comply with the requirements of these Regulations, he shall immediately report the matter to the Registrar of Ships who, if he is satisfied that the ship presents an unreasonable threat of harm to the marine environment, may deny the entry of such ship to any port or offshore terminal in Zanzibar.

(2) In any case where a ship to which these Regulations apply is suspected of a contravention of the requirements of these Regulations, the ship shall be liable to be detained.

(3) Where the steps taken by an inspector under regulation 34 involve detention of the ship, or in the event of detention under this regulation, then the provisions of the Act which relates to the detention of a ship, shall have effect in relation to the ship.

(4) Where a ship other than a Tanzania Zanzibar ship is-

- (a) denied entry pursuant to sub regulation (1);
- (b) detained pursuant to sub regulation (2); or
- (c) detained pursuant to regulation 37(3);

the Registrar of Ships shall immediately inform the consul or diplomatic representative of the State whose flag the ship is entitled to fly or the appropriate maritime authorities of that State.

Penalties

36.-(1) If any ship fails to comply with any requirement of these Regulations the owner and the master of the ship commits an offence and shall, upon summary conviction, be liable to be punished as prescribed under the Act.

(2) It shall be a defence for a person charged under sub regulation (1) of this regulation to show that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(3) Where an offence under this regulation is committed, or would have been committed by any person due to the act or default of some other person, that other person shall be guilty of the offence, and a person may be charged with and convicted of an offence by virtue of this regulation whether or not proceedings are taken against the first-mentioned person.

Suspension of proceedings at flag state request

37.-(1) This regulation relates to an alleged offence of contravening regulation 12, 13 or 16 of these Regulations, by a ship which is not a Tanzania Zanzibar ship, in relation to a discharge outside the United Republic of Tanzania or its territorial waters.

(2) Any proceedings for such an offence shall be stayed if the Court is satisfied that the flag state has instituted proceedings corresponding to the proceedings in Zanzibar in respect of the discharge, within six months of the institution of proceedings in the Zanzibar.

(3) Sub regulation (1) of this regulation shall not apply-

(a) where the discharge resulted in major damage to the Zanzibar;
or

(b) the Registrar of Ships certifies that the flag state has repeatedly disregarded its obligation to enforce effectively the requirements of the Convention in respect of its ships.

(4) Where proceedings instituted by the flag state have been brought to a conclusion, the suspended proceedings shall be terminated.

(5) Where the costs of the Registrar of Ships incurred in respects of proceedings suspended under sub regulation (2) of this regulation, have been paid, any money paid or security given under regulation 37 of these Regulations shall be released.

Compounding
of offences

38.-(1) Notwithstanding any other law, where a ship or master violates any provision of these Regulation, the Registrar of Ships may serve on that ship or master a notice in the specified form, calling upon such ship or master to pay in respect of the offence, the amount of fines so specified with the offence alleged to have been committed.

(2) The notice under sub regulation (1) of this regulation, shall specify:

- (a) name and registration number of the ship;
- (b) the offence alleged to have been committed;
- (c) place and time upon which the offence has occurred;
- (d) actual amount of fine so specified for that offence;
- (e) time and manner in which the fine should be paid; and
- (f) any other particular or information relating to that offence when the Registrar of Ships may think necessary.

(3) The ship or master served with a notice under sub regulation (1) of this regulation shall, within seven days from the date in which the notice has been delivered to him, pay the amount of fine to the Authority.

(4) Where a ship or master has been served with a notice under sub regulation (1) of this regulation, fails to pay such a fine within the time limit specified in the notice, the Authority shall proceeds with criminal action against such a ship or master.

(5) When the ship or master pay the amount of fine so specified in the notice, no further criminal actions relating to the same offence shall be taken against the ship or master.

SIGNED on this 12 day of February, 2019.

DR.SIRA UBWA MAMBOYA
MINISTER OF INFRASTRUCTURE, COMMUNICATION
AND
TRANSPORTATION

THE FIRST SCHEDULE