No. 4714

BELGIUM, CANADA, DENMARK, FRANCE, FEDERAL REPUBLIC OF GERMANY, etc.

International Convention (with annexes) for the Prevention of Pollution of the Sea by Oil, 1954. Done at London, on 12 May 1954

Official texts: English and French.

Registered by the United Kingdom of Great Britain and Northern Ireland on 13 March 1959.

BELGIQUE, CANADA, DANEMARK, FRANCE, RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE, etc.

Convention internationale (avec annexes) pour la prévention de la pollution des eaux de la mer par les hydrocarbures, 1954. Faite à Londres, le 12 mai 1954

Textes officiels anglais et français.

Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 13 mars 1959.

No. 4714. INTERNATIONAL CONVENTION 1 FOR THE PREVENTION OF POLLUTION OF THE SEA BY OIL, 1954. DONE AT LONDON, ON 12 MAY 1954

The Governments represented at the International Conference on Pollution of the Sea by Oil held in London from 26th April, 1954, to 12th May, 1954.

Desiring to take action by common agreement to prevent pollution of the sea by oil discharged from ships, and considering that this end may best be achieved by the conclusion of a Convention,

Have accordingly appointed the undersigned plenipotentiaries, who, having communicated their full powers, found in good and due form, have agreed as follows:

Article I

(1) For the purposes of the present Convention, the following expressions shall (unless the context otherwise requires) have the meanings hereby respectively assigned to them, that is to say:

"The Bureau" has the meaning assigned to it by Article XXI;

"Discharge" in relation to oil or to an oily mixture means any discharge or escape howsoever caused;

"Heavy diesel oil" means marine diesel oil, other than those distillates of which more than 50 per cent, by volume distils at a temperature not exceeding 340°C. when tested by A.S.T.M. Standard Method D.158/53;

"Mile" means a nautical mile of 6,080 feet or 1,852 metres;

"Oil" means crude oil, fuel oil, heavy diesel oil and lubricating oil, and "oily" shall be construed accordingly.

¹ In accordance with the provisions of articles XIV and XV, the Convention came into force on 26 July 1958, twelve months after the date on which ten Governments—including five Governments of countries each with not less than 500,000 gross tons of tanker tonnage—had become parties to the Convention, in respect of the following States which deposited their instruments of acceptance with the Government of the United Kingdom of Great Britain and Northern Ireland on the dates specified below (asterisk indicates countries having not less than 500,000 gross tons of tanker tonnage):

* United Kingdom of * Denmark 26 November 1956

* United Kingdom of		* Denmark 26 November	1956
Great Britain and		Canada 19 December	1956
Northern Ireland 6 May	1955	* Norway 26 January	19 57
Mexico 10 May	1956	Ireland 13 February	1957
* Sweden 24 May	1956	Belgium 16 April	195 7
Federal Republic of		* France 26 July	19 57
Germany (including		Netherlands (including	
Land Berlin) 11 June	1956	Netherlands New	
,		Guinea) 24 July	1958

(2) For the purposes of the present Convention the territories of a Contracting Government mean the territory of the country of which it is the Government and any other territory for the international relations of which the Government is responsible and to which the Convention shall have been extended under Article XVIII.

Article II

The present Convention shall apply to sea-going ships registered in any of the territories of a Contracting Government, except

- (i) ships for the time being used as naval auxiliaries;
- (ii) ships of under 500 tons gross tonnage;
- (iii) ships for the time being engaged in the whaling industry;
- (iv) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal at Montreal in the Province of Quebec, Canada.

Article III

- (1) Subject to the provisions of Articles IV and V, the discharge from any tanker, being a ship to which the Convention applies, within any of the prohibited zones referred to in Annex A¹ to the Convention in relation to tankers of—
- (a) oil;
- (b) any oily mixture the oil in which fouls the surface of the sea, shall be prohibited.

For the purposes of this paragraph the oil in an oily mixture of less than 100 parts of oil in 1,000,000 parts of the mixture shall not be deemed to foul the surface of the sea.

- (2) Subject to the provisions of Articles IV and V, any discharge into the sea from a ship, being a ship to which the Convention applies and not being a tanker, of oily ballast water or tank washings shall be made as far as practicable from land. As from a date three years after the date on which the Convention comes into force, paragraph (1) of this Article shall apply to ships other than tankers as it applies to tankers, except that:
- (a) the prohibited zones in relation to ships other than tankers shall be those referred to as such in Annex A to the Convention; and

¹ See p. 26 of this volume.

- (b) the discharge of oil or of an oily mixture from such a ship shall not be prohibited when the ship is proceeding to a port not provided with such reception facilities as are referred to in Article VIII.
- (3) Any contravention of paragraphs (1) and (2) of this Article shall be an offence punishable under the laws of the territory in which the ship is registered.

Article IV

- (1) Article III shall not apply to:
- (a) the discharge of oil or of an oily mixture from a ship for the purpose of securing the safety of the ship, preventing damage to the ship or cargo, or saving life at sea; or
- (b) the escape of oil, or of an oily mixture, resulting from damage to the ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimising the escape;
- (c) the discharge of sediment:—
 - (i) which cannot be pumped from the cargo tanks of tankers by reason of its solidity; or
 - (ii) which is residue arising from the purification or clarification of oil fuel or lubricating oil,

provided that such discharge is made as far from land as is practicable.

(2) In the event of such discharge or escape as is referred to in this Article a statement shall be made in the oil record book required by Article IX of the circumstances of and reason for the discharge.

Article V

Article III shall not apply to the discharge from the bilges of a ship:

- (a) of any oily mixture during the period of twelve months following the date on which the Convention comes into force in respect of the territory in which the ship is registered;
- (b) after the expiration of such period, of an oily mixture containing no oil other than lubricating oil.

Article VI

The penalties which may be imposed in pursuance of Article III under the law of any of the territories of a Contracting Government in respect of the unlawful discharge from a ship of oil or of an oily mixture into waters outside the territorial

waters of that territory shall not be less than the penalties which may be imposed under the law of that territory in respect of the unlawful discharge of oil or of an oily mixture from a ship into such territorial waters.

Article VII

As from a date twelve months after the present Convention comes into force in respect of any of the territories of a Contracting Government all ships registered in that territory shall be required to be so fitted as to prevent the escape of fuel oil or heavy diesel oil into bilges the contents of which are discharged into the sea without being passed through an oily-water separator.

Article VIII

As from a date three years after the present Convention comes into force in respect of any of the territories of a Contracting Government, that Government shall ensure the provision in each main port in that territory of facilities adequate for the reception, without causing undue delay to ships, of such residues from oily ballast water and tank washings as would remain for disposal by ships, other than tankers, using the port, if the water had been separated by the use of an oily-water separator, a settling tank or otherwise. Each Contracting Government shall from time to time determine which ports are the main ports in its territories for the purposes of this Article, and shall notify the Bureau in writing accordingly indicating whether adequate reception facilities have been installed.

Article IX

- (1) There shall be carried in every ship to which the Convention applies an oil record book (whether as part of the ship's official log-book or otherwise) in the form specified in Annex B¹ to the present Convention. The appropriate entries shall be made in that book, and each page of the book, including any statement under paragraph (2) of Article IV, shall be signed by the officer or officers in charge of the operations concerned and by the master of the ship. The written entries in the oil record book shall be in an official language of the territory in which the ship is registered, or in English or French.
- (2) The competent authorities of any of the territories of a Contracting Government may inspect on board any such ship while within a port in that territory the oil record book required to be carried in the ship in compliance with the provisions of the Convention, and may make a true 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 entry. Any copy so made which purports to have been certified by the master of the ship as a true copy of an entry in the ship's oil record book shall be made admissible in

¹ See p. 30 of this volume.

any judicial proceedings as evidence of the facts stated in the entry. Any action by the competent authorities under this paragraph shall be taken as expeditiously as possible and the ship shall not be delayed.

Article X

- (1) Any Contracting Government may furnish to the Contracting Government in the territory of which a ship is registered particulars in writing of evidence that any provision of the Convention has been contravened in respect of that ship, wheresoever the alleged contravention may have taken place. If it is practicable to do so, the competent authorities of the former Government shall notify the master of the ship of the alleged contravention.
- (2) Upon receiving such particulars the latter Government shall investigate the matter, and may request the former Government to furnish further or better particulars of the alleged contravention. If the Government in the territory of which the ship is registered is satisfied that sufficient evidence is available in the form required by law to enable proceedings against the owner or master of the ship to be taken in respect of the alleged contravention, it shall cause such proceedings to be taken as soon as possible, and shall inform the other Contracting Government and the Bureau of the result of such proceedings.

Article XI

Nothing in the present Convention shall be construed as derogating from the powers of any Contracting Government to take measures within its jurisdiction in respect of any matter to which the Convention relates or as extending the jurisdiction of any Contracting Government.

Article XII

Each Contracting Government shall send to the Bureau and to the appropriate organ of the United Nations :

- (a) the text of laws, decrees, orders and regulations in force in its territories which give effect to the present Convention;
- (b) all official reports or summaries of official reports in so far as they show the results of the application of the provisions of the Convention, provided always that such reports or summaries are not, in the opinion of that Government, of a confidential nature.

Article XIII

Any dispute between Contracting Governments relating to the interpretation or application of the present Convention which cannot be settled by negotiation

shall be referred at the request of either party to the International Court of Justice for decision unless the parties in dispute agree to submit it to arbitration.

Article XIV

- (1) The present Convention shall remain open for signature for three months from this day's date and shall thereafter remain open for acceptance.
 - (2) Governments may become parties to the Convention by—
 - (i) signature without reservation as to acceptance;
- (ii) signature subject to acceptance followed by acceptance; or
- (iii) acceptance.
- (3) Acceptance shall be effected by the deposit of an instrument of acceptance with the Bureau, which shall inform all Governments that have already signed or accepted the Convention of each signature and deposit of an acceptance and of the date of such signature or deposit.

Article XV

- (1) The present Convention shall come into force twelve months after the date on which not less than ten Governments have become parties to the Convention, including five Governments of countries each with not less than 500,000 gross tons of tanker tonnage.
- (2)—(a) For each Government which signs the Convention without reservation as to acceptance or accepts the Convention before the date on which the Convention comes into force in accordance with paragraph (1) of this Article it shall come into force on that date. For each Government which accepts the Convention on or after that date, it shall come into force three months after the date of the deposit of that Government's acceptance.
- (b) The Bureau shall, as soon as possible, inform all Governments which have signed or accepted the Convention of the date on which it will come into force.

Article XVI

- (1) Upon the request of any Contracting Government a proposed amendment of the present Convention shall be communicated by the Bureau to all Contracting Governments for consideration.
- (2) Any amendment communicated to Contracting Governments for consideration under paragraph (1) of this Article shall be deemed to have been accepted by all Contracting Governments and shall come into force on the expiration of a period of six months after it has been so communicated, unless any one of the Contracting Governments shall have made a declaration not less than two months before the expiration of that period that it does not accept the amendment.

- (3)—(a) A conference of Contracting Governments to consider amendments of the Convention proposed by any Contracting Government shall be convened by the Bureau upon the request of one-third of the Contracting Governments.
- (b) Every amendment adopted by such a conference by a two-thirds majority vote of the Contracting Governments represented shall be communicated by the Bureau to all Contracting Governments for their acceptance.
- (4) Any amendment communicated to Contracting Governments for their acceptance under paragraph (3) of this Article shall come into force for all Contracting Governments, except those which, before it comes into force, make a declaration that they do not accept the amendment, twelve months after the date on which the amendment is accepted by two-thirds of the Contracting Governments.
- (5) Any declaration under this Article shall be made by a notification in writing to the Bureau which shall notify all Contracting Governments of the receipt of the declaration.
- (6) The Bureau shall inform all signatory and Contracting Governments of any amendments which come into force under this Article, together with the date on which such amendments shall come into force.

Article XVII

- (1) The present Convention may be denounced by any Contracting Government at any time after the expiration of a period of five years from the date on which the Convention comes into force for that Government.
- (2) Denunciation shall be effected by a notification in writing addressed to the Bureau, which shall notify all the Contracting Governments of any denunciation received and of the date of its receipt.
- (3) A denunciation shall take effect twelve months, or such longer period as may be specified in the notification, after its receipt by the Bureau.

Article XVIII

- (1)—(a) Any Government may, at the time of signature or acceptance of the present Convention, or at any time thereafter, declare by notification in writing given to the Bureau that the Convention shall extend to any of the territories for whose international relations it is responsible.
- (b) The Convention shall, from the date of the receipt of the notification, or from such other date as may be specified in the notification, extend to the territories named therein.
- (2)—(a) Any Contracting Government which has made a declaration under paragraph (1) of this Article may, at any time after the expiration of a period of

five years from the date on which the Convention has been so extended to any territory, give notification in writing to the Bureau, declaring that the Convention shall cease to extend to any such territory named in the notification.

- (b) The Convention shall cease to extend to any territory mentioned in such notification twelve months, or such longer period as may be specified therein, after the date of receipt of the notification by the Bureau.
- (3) The Bureau shall inform all Contracting Governments of the extension of the Convention to any territories under paragraph (1) of this Article, and of the termination of any such extension under paragraph (2) of this Article, stating in each case the date from which the Convention has been, or will cease to be, so extended.

Article XIX

- (1) In case of war or other hostilities, a Contracting Government which considers that it is affected, whether as a belligerent or as a neutral, may suspend the operation of the whole or any part of the present Convention in respect of all or any of its territories. The suspending Government shall immediately give notice of any such suspension to the Bureau.
- (2) The suspending Government may at any time terminate such suspension and shall in any event terminate it as soon as it ceases to be justified under paragraph (1) of this Article. Notice of such termination shall be given immediately to the Bureau by the Government concerned.
- (3) The Bureau shall notify all Contracting Governments of any suspension or termination of suspension under this Article.

Article XX

As soon as the present Convention comes into force it shall be registered by the Bureau with the Secretary-General of the United Nations.

Article XXI

The duties of the Bureau shall be carried out by the Government of the United Kingdom of Great Britain and Northern Ireland unless and until the Inter-Governmental Maritime Consultative Organisation comes into being and takes over the duties assigned to it under the Convention signed at Geneva on the 6th day of March, 1948, 1 and thereafter the duties of the Bureau shall be carried out by the said Organisation.

¹ See footnote 1, p. 383 of this volume.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed the present Convention.

Done in London this twelfth day of May, 1954, in English and French, both texts being equally authoritative, in a single copy, which shall be deposited with the Bureau and of which the Bureau shall transmit certified copies to all signatory and Contracting Governments.

For the Government of Australia: Pour le Gouvernement de l'Australie :

For the Government of Belgium: Pour le Gouvernement de la Belgique :

> M. A. VAN BOECKEL (Subject to acceptance.) 1

For the Government of Brazil: Pour le Gouvernement du Brésil :

For the Government of Canada: Pour le Gouvernement du Canada:

> Alan CUMYN (Subject to ratification.) 2

For the Government of Ceylon: Pour le Gouvernement de Ceylan:

> T. D. PERERA (Subject to acceptance.) 1

For the Government of Chile: Pour le Gouvernement du Chili:

For the Government of Denmark: Pour le Gouvernement du Danemark:

> Mogens Blach (Subject to acceptance.) 1

For the Government of Finland: Pour le Gouvernement de Finlande:

> S. SUNDMAN (Subject to acceptance.) 1

<sup>Sous réserve d'acceptation.
Sous réserve de ratification.</sup>

For the Government of France:

Pour le Gouvernement de la République Française :

R. Massigli

(Sous réserve de ratification.) 1

For the Government of the Federal Republic of Germany: Pour le Gouvernement de la République Fédérale d'Allemagne :

> Karl Schubert (Subject to acceptance.) 2

For the Government of Greece: Pour le Gouvernement de la Grèce :

> M. SAKARIS Kostas Lyras (Subject to acceptance.) 2

For the Government of India: Pour le Gouvernement de l'Inde :

For the Government of Ireland: Pour le Gouvernement de l'Irlande:

> F. H. BOLAND (Subject to acceptance.) 2

For the Government of Israel: Pour le Gouvernement d'Israël:

For the Government of Italy: Pour le Gouvernement de l'Italie :

> Giulio Ingianni (Subject to acceptance.) 2

For the Government of Japan: Pour le Gouvernement du Japon :

> S. Matsumoto (Subject to acceptance.) 2

Subject to ratification.Sous réserve d'acceptation.

For the Government of Liberia: Pour le Gouvernement du Libéria:

George B. Stevenson S. Edward Peal

(Subject to acceptance or ratification by the President with the advice and consent of the Liberian Senate.) ¹

For the Government of Mexico:
Pour le Gouvernement du Mexique:

G. Luders DE NEGRI (Subject to acceptance.) ²

For the Government of the Netherlands: Pour le Gouvernement des Pays-Bas:

A. H. HASSELMAN (Subject to ratification.) 3

For the Government of New Zealand: Pour le Gouvernement de la Nouvelle-Zélande:

F. H. CORNER (Subject to acceptance.) 2

For the Government of Nicaragua: Pour le Gouvernement du Nicaragua:

For the Government of Norway: Pour le Gouvernement de la Norvège:

> Sigurd Storhaug (Subject to acceptance.) ²

For the Government of Panama: Pour le Gouvernement du Panama:

For the Government of Poland: Pour le Gouvernement de la Pologne:

¹ Sous réserve d'acceptation ou de ratification par le Président sur avis conforme du Sénat libérien.

<sup>Sous réserve d'acceptation.
Sous réserve de ratification.</sup>

No. 4714

For the Government of Portugal: Pour le Gouvernement du Portugal:

For the Government of Spain:

Pour le Gouvernement de l'Espagne :

For the Government of Sweden:

Pour le Gouvernement de la Suède :

G. Böös

(Subject to acceptance.) 1

For the Government of the Union of Soviet Socialist Republics: Pour le Gouvernement de l'Union des Républiques Socialistes Soviétiques :

Y. MALIK

(Subject to ratification by the Presidium of the Supreme Soviet of the U.S.S.R.)²

Y. M.

For the Government of the United Kingdom of Great Britain and Northern Ireland: Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

> Gilmour JENKINS Percy FAULKNER (Subject to acceptance.) 1

For the Government of the United States of America: Pour le Gouvernement des États-Unis d'Amérique:

For the Government of Venezuela: Pour le Gouvernement du Venezuela:

For the Government of Yugoslavia: Pour le Gouvernement de la Yougoslavie:

> Predrag Nikolić (Subject to acceptance.) 1

<sup>Sous réserve d'acceptation.
Sous réserve de ratification par le Présidium du Soviet suprême de l'URSS.</sup>

ANNEX A

PROHIBITED ZONES

(1) Subject to paragraph (3) of this Annex, the prohibited zones in relation to tankers shall be all sea areas within 50 miles from land, with the following exceptions:

(a) The Adriatic Zones

Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of 30 miles from land, excepting only the island of Vis. When the present Convention has been in force for a period of three years the said zones shall each be extended by a further 20 miles in width unless the two Governments agree to postpone such extension. In the event of such an agreement the said Governments shall notify the Bureau accordingly not less than three months before the expiration of such period of three years and the Bureau shall notify all Contracting Governments of such agreement.

(b) The North Sea Zone

The North Sea Zone shall extend for a distance of 100 miles from the coasts of the following countries:

Belgium, Denmark, the Federal Republic of Germany, the Netherlands, the United Kingdom of Great Britain and Northern Ireland,

but not beyond the point where the limit of a 100-mile zone off the west coast of Jutland intersects the limit of the 50-mile zone off the coast of Norway.

(c) The Atlantic Zone

The Atlantic Zone shall be within a line drawn from a point on the Greenwich meridian 100 miles in a north-north-easterly direction from the Shetland Islands; thence north-wards along the Greenwich meridian to latitude 64° north; thence westwards along the 64th parallel to longitude 10° west; thence to latitude 60° north, longitude 14° west; thence to latitude 54° 30′ north, longitude 30° west; thence to latitude 44° 20′ north, longitude 30° west; thence to latitude 48° north, longitude 14° west; thence eastwards along the 48th parallel to a point of intersection with the 50-mile zone off the coast of France. Provided that in relation to voyages which do not extend seawards beyond the Atlantic Zone as defined above, and which are to ports not provided with adequate facilities for the reception of oily residue, the Atlantic Zone shall be deemed to terminate at a distance of 100 miles from land.

(d) The Australian Zone

The Australian Zone shall extend for a distance of 150 miles from the coasts of Australia, except off the north and west coasts of the Australian mainland between the point opposite Thursday Island and the point on the west coast at 20° south latitude.

(2) Subject to paragraph (3) of this Annex the prohibited zones in relation to ships other than tankers shall be all sea areas within 50 miles from land with the following exceptions:

(a) The Adriatic Zones

Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of 20 miles from land, excepting only the island of Vis. After the expiration of a period of three years following the application of prohibited zones to ships other than tankers in accordance with paragraph (2) of Article III the said zones shall each be extended by a further 30 miles in width unless the two Governments agree to postpone such extension. In the event of such an agreement the said Governments shall notify the Bureau accordingly not less than three months before the expiration of such period of three years, and the Bureau shall notify all Contracting Governments of such agreement.

(b) The North Sea and Atlantic Zones

The North Sea and Atlantic Zones shall extend for a distance of 100 miles from the coasts of the following countries:

Belgium, Denmark, the Federal Republic of Germany, Ireland, the Netherlands, the United Kingdom of Great Britain and Northern Ireland,

but not beyond the point where the limit of a 100-mile zone off the west coast of Jutland intersects the limit of the 50-mile zone off the coast of Norway.

- (3)—(a) Any Contracting Government may propose:
- (i) the reduction of any zone off the coast of any of its territories;
- (ii) the extension of any such zone to a maximum of 100 miles from any such coast,

by making a declaration to that effect and the reduction or extension shall come into force after the expiration of a period of six months after the declaration has been made, unless any one of the Contracting Governments shall have made a declaration not less than two months before the expiration of that period that its interests are affected either by reason of the proximity of its coasts or by reason of its ships trading in the area, and that it does not accept the reduction or extension, as the case may be.

(b) Any declaration under this paragraph shall be made by a notification in writing to the Bureau which shall notify all Contracting Governments of the receipt of the declaration.

ANNEX B

FORM OF OIL RECORD BOOK

I.—For Tankers

	Date of Entry			
	(a) Ballasting of and discharge of ballast from cargo tanks			
	Identity numbers of $tank(s)$ Type of oil previously contained in $tank(s)$			
4. 5. 6.	Date and place of ballasting Date and time of discharge of ballast water Place or position of ship Approximate amount of oil-contaminated water transferred to slop tank(s) Identity numbers of slop tank(s)			
	(b) Cleaning of cargo tanks			
8.	Identity numbers of tank(s) cleaned			
9.	Type of oil previously contained in tank(s)	:		
10.	Identity numbers of slop tank(s) to which washings transferred			
11.	Dates and times of cleaning			
	(c) Settling in slop tank(s) and discharge of water			
12.	Identity numbers of slop tank(s) \dots			
14. 15.	Period of settling (in hours) Date and time of discharge of water			
(4	d) Disposal from ship of oily residues from slop tank(s) and other sources			
18.	Date and method of disposal Place or position of ship Sources and approximate quantities			

Signatu	ıre	of	Officer	or	Officers	in
 charge	of	the	operat	ions	concern	ıeđ

..... Signature of Master

II.—For Ships Other Than Tankers

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All Ships	ī			
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