



**JABATAN LAUT MALAYSIA  
MARINE DEPARTMENT MALAYSIA**

**MALAYSIAN SHIPPING NOTICE**

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Notis kepada pemilik kapal serta orang yang mempunyai kepentingan kepada kebenaran pengeluaran sijil-sijil statutory.

*Notice to ship owners and persons with interest toward the delegation of statutory certification.*

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**IMPLEMENTATION OF THE INTERNATIONAL CONVENTION FOR THE PREVENTION OF  
POLLUTION FROM SHIPS 1973 AS AMENDED (MARPOL)**

Related document: Merchant Shipping Notice JL 2/1997 dated 5 May 1997

**INTRODUCTION**

1. International Convention for the Prevention of Pollution from Ships 1973/78 (Marine Pollution Convention) came into effect for Malaysia since 1 May 1997. The enforcement of the Marine Pollution Convention for Malaysia is done by way of the Merchant Shipping Ordinance 1952.
2. Pursuant to the above, the detail requirements and standards for the implementation of the Marine Pollution Convention for Malaysia is as follows:
  - a. **Annex V of the Marine Pollution Convention for the prevention of pollution by garbage from ships is set out in Annex V to this notice;**
3. This notice is applicable throughout Malaysia including Sabah and Sarawak and to all Malaysian ships and all ships while in Malaysian waters.
4. The Malaysia Shipping Notice 2 of 1997 is revoked.

**Ketua Pengarah Laut/ *Director General of Marine***  
**Tarikh/Date: 24 DECEMBER 2008**

## ANNEX V

### REQUIREMENTS FOR THE PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS

#### Regulation 1

##### *Definitions*

. For the purposes of this Annex:

(1) . *Garbage* means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the Marine Pollution Prevention.

(2) . *Nearest land*. The term "from the nearest land" means from the baseline from which the territorial sea of the territory in question is established in accordance with international law, except that, for the purposes of the Marine Pollution Prevention, "from nearest land" off the north-eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

- latitude 11°00' S, longitude 142°08' E
- to a point in latitude 10°35' S, longitude 141°55' E,
- thence to a point latitude 10°00' S, longitude 142°00' E,
- thence to a point latitude 9°10' S, longitude 143°52' E,
- thence to a point latitude 9°00' S, longitude 144°30' E,
- thence to a point latitude 10°41' S, longitude 145°00' E,
- thence to a point latitude 13°00' S, longitude 145°00' E,
- thence to a point latitude 15°00' S, longitude 146°00' E,
- thence to a point latitude 17°30' S, longitude 147°00' E,
- thence to a point latitude 21°00' S, longitude 152°55' E,
- thence to a point latitude 24°30' S, longitude 154°00' E,
- thence to a point on the coast of Australia
- in latitude 24°42' S, longitude 153°15' E

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

#### Regulation 2

##### *Application*

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

#### Regulation 3

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

(1). Subject to the provisions of [regulations 4](#), [5](#) and [6](#) of this Annex:

(a). the disposal into the sea of all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues, is prohibited.

(b). the disposal into the sea of the following garbage shall be made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than:

- (i). 25 nautical miles for dunnage, lining and packing materials which will float;
- (ii). 12 nautical miles for food wastes and all other garbage including paper products, rags, glass, metal, bottles, crockery and similar refuse;

(c). disposal into the sea of garbage specified in subparagraph (b)(ii) of this regulation may be permitted when it has passed through a comminuter or grinder and made as far as practicable from the nearest land but in any case is prohibited if the distance from the nearest land is less than 3 nautical miles. Such comminuted or ground garbage shall be capable of passing through a screen with openings no greater than 25 millimetres.

(2). When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

#### **Regulation 4**

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

(1). Subject to the provisions of paragraph (2) of this regulation, the disposal of any materials regulated by this Annex is prohibited from fixed or floating platforms engaged in the exploration, exploitation and associated offshore processing of sea-bed mineral resources, and from all other ships when alongside or within 500 metres of such platforms.

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

#### **Regulation 5**

##### ***Disposal of garbage within special areas***

(1). For the purposes of this Annex the special areas are the Mediterranean Sea area, the Baltic Sea area, the Black Sea area, the Red Sea area, the "Gulfs area", the North Sea area, the Antarctic area and the Wider Caribbean Region, including the Gulf of Mexico and the Caribbean Sea, which are defined as follows:

(a). The *Mediterranean Sea area* means the Mediterranean Sea proper including the gulfs and seas therein with the boundary between the Mediterranean and the Black Sea constituted by the 41° N parallel and bounded to the west by the Straits of Gibraltar at the meridian 5°36' W.

(b). The *Baltic Sea area* means the Baltic Sea proper with the Gulf of Bothnia and the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57°44.8' N.

(c). The *Black Sea area* means the Black Sea proper with the boundary between the Mediterranean and the Black Sea constituted by the parallel 41° N.

(d). The *Red Sea area* means the Red Sea proper including the Gulfs of Suez and Aqaba bounded at the south by the rhumb line between Ras si Ane (12°28.5' N, 43°19.6' E) and Husn Murad (12°40.4' N, 43°30.2' E).

(e). The *Gulfs area* means the sea area located north-west of the rhumb line between Ras al Hadd (22°30' N, 59°48' E) and Ras al Fasteh (25°04' N, 61°25' E).

(f). The *North Sea area* means the North Sea proper including seas therein with the boundary between:

- (i). the North Sea southwards of latitude 62°N and eastwards of longitude 4° W;
- (ii). the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44.8' N; and
- (iii). the English Channel and its approaches eastwards of longitude 5° W and northwards of latitude 48°30' N.

(g). The *Antarctic area* means the sea area south of latitude 60° S.

(h). The *Wider Caribbean Region*, as defined in article 2, paragraph 1 of the Marine Pollution Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena de Indias, 1983), means the Gulf of Mexico and Caribbean Sea proper including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by the 30° N parallel from Florida eastward to 77°30' W meridian, thence a rhumb line to the intersection of 20° N parallel and 59° W meridian, thence a rhumb line to the intersection of 7°20' N parallel and 50° W meridian, thence a rhumb line drawn south-westerly to the eastern boundary of French Guiana.

(2). Subject to the provisions of [regulation 6](#) of this Annex:

(a). disposal into the sea of the following is prohibited:

- (i). all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products which may contain toxic or heavy metal residues; and
- (ii). all other garbage, including paper products, rags, glass, metal, bottles, crockery, dunnage, lining and packing materials;

(b). except as provided in subparagraph (c) of this paragraph, disposal into the sea of food wastes shall be made as far as practicable from land, but in any case not less than 12 nautical miles from the nearest land;

(c). disposal into the Wider Caribbean Region of food wastes which have been passed through a comminuter or grinder shall be made as far as practicable from land, but in any case not less than 3 nautical miles from the nearest land. Such comminuted or ground food wastes shall be capable of passing through a screen with openings no greater than 25 millimetres.

(3). When the garbage is mixed with other discharges having different disposal or discharge requirements the more stringent requirements shall apply.

(4). Reception facilities within special areas:

(a). The Government of each Party to the Marine Pollution Convention, the coastline of which borders a special area, undertakes to ensure that as soon as possible in all ports within a special area adequate reception facilities are provided in accordance with [regulation 7](#) of this Annex, taking into account the special needs of ships operating in these areas.

(b). The Government of each Party concerned shall notify the International Maritime Organization of the measures taken pursuant to subparagraph (a) of this regulation. Upon receipt of sufficient notifications the International Maritime Organization shall establish a date from which the requirements of this regulation in respect of the area in question shall take effect. The International Maritime Organization shall notify all Parties of the date so established no less than twelve months in advance of that date.

(c). After the date so established, ships calling also at ports in these special areas where such facilities are not yet available, shall fully comply with the requirements of this regulation.

(5). Notwithstanding paragraph 4 of this regulation, the following rules apply to the Antarctic area:

(a). The Government of each Party to the Marine Pollution Convention at whose ports ships depart *en route* to or arrive from the Antarctic area undertakes to ensure that as soon as practicable adequate facilities are provided for the reception of all garbage from all ships, without causing undue delay, and according to the needs of the ships using them.

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

## **Regulation 6**

### ***Exceptions***

. [Regulations 3, 4](#) and [5](#) of this Annex shall not apply to:

(a). the disposal of garbage from a ship necessary for the purpose of securing the safety of a ship and those on board or saving life at sea; or

(b). the escape of garbage resulting from damage to a ship or its equipment provided all reasonable precautions have been taken before and after the occurrence of the damage, for the purpose of preventing or minimizing the escape; or

(c). the accidental loss of synthetic fishing nets, provided that all reasonable precautions have been taken to prevent such loss.

## **Regulation 7**

### ***Reception facilities***

(1). The Government of each Party to the Marine Pollution Convention undertakes to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.

(2). The Government of each Party shall notify the International Maritime Organization for transmission to the Parties concerned of all cases where the facilities provided under this regulation are alleged to be inadequate.

## **Regulation 8**

### ***Port State control on operational requirements***

(1). A ship when in a port of another Party is subject to inspection by officers duly authorized by such Party concerning operational requirements under this Annex, where there are clear grounds

for believing that the master or crew are not familiar with essential shipboard procedures relating to the prevention of pollution by garbage.

(2). In the circumstances given in paragraph (1) of this regulation, the Party shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of this Annex.

(3). Procedures relating to the port State control prescribed in article 5 of the Marine Pollution Convention shall apply to this regulation.

(4). Nothing in this regulation shall be construed to limit the rights and obligations of a Party carrying out control over operational requirements specifically provided for in the Marine Pollution Prevention.

### **Regulation 9**

#### ***Placards, garbage management plans and garbage record-keeping***

(1).

(a). Every ship of 12 metres or more in length overall shall display placards which notify the crew and passengers of the disposal requirements of [regulations 3](#) and [5](#) of this Annex, as applicable.

(b). The placards shall be written in the working language of the ship's personnel and, for ships engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Marine Pollution Convention, shall also be in English, French or Spanish.

(2). Every ship of 400 tons gross tonnage and above, and every ship which is certified to carry 15 persons or more, shall carry a garbage management plan which the crew shall follow. This plan shall provide written procedures for collecting, storing, processing and disposing of garbage, including the use of the equipment on board. It shall also designate the person in charge of carrying out the plan. Such a plan shall be in accordance with the guidelines developed by the International Maritime Organization and written in the working language of the crew.

(3). Every ship of 400 tons gross tonnage and above and every ship which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Marine Pollution Convention and every fixed and floating platform engaged in exploration and exploitation of the sea-bed, shall be provided with a Garbage Record Book. The Garbage Record Book, whether as a part of the ship's official logbook or otherwise, shall be in the form specified in the appendix to this Annex;

(a). Each discharge operation, or completed incineration, shall be recorded in the Garbage Record Book and signed for on the date of the incineration or discharge by the officer in charge. Each completed page of the Garbage Record Book shall be signed by the master of the ship. The entries in the Garbage Record Book shall be at least in English, French or Spanish.

(b). the entry for each incineration or discharge shall include date and time, position of the ship, description of the garbage and the estimated amount incinerated or discharged;

(c). the Garbage Record Book shall be kept on board the ship and in such a place as to be available for inspection in a reasonable time. This document shall be preserved for a period of two years after the last entry is made on the record.

(d). in the event of discharge, escape or accidental loss referred to in [regulation 6](#) of this Annex an entry shall be made in the Garbage Record Book of the circumstances of, and the reasons for, the loss.

- (4). The Director of Marine may waive the requirements for Garbage Record Books for:
- (i). any ship engaged on voyages of 1 hour or less in duration which is certified to carry 15 persons or more; or
  - (ii). fixed or floating platforms while engaged in exploration and exploitation of the seabed.

(5). The competent authority of the Government of a Party to the Marine Pollution Convention may inspect the Garbage Record Book on board any ship to which this regulation applies while the ship is in its ports or offshore terminals and may make a copy of any entry in that book, and may require the master of the ship to certify that the copy is a true copy of such an entry. Any copy so made, which has been certified by the master of the ship as true copy of an entry in the ship's Garbage Record Book, shall be admissible in any judicial proceedings as evidence of the facts stated in the entry. The inspection of a Garbage Record Book and the taking of a certified copy by the competent authority under this paragraph shall be performed as expeditiously as possible without causing the ship to be unduly delayed.

(6). In the case of ships built before 1 July 1997, this regulation shall apply as from 1 July 1998.

**Appendix - Form of Garbage Record Book**  
**Form of Garbage Record Book**

Name of ship: .....

Distinctive number or letters .....

IMO No. ....

Period: ..... From: ..... To: .....

## 1. Introduction

. In accordance with [Regulation 9](#) of Annex V of the International Marine Pollution Prevention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of the 1978 (MARPOL 73/78), a record is to be kept of each discharge operation or completed incineration. This includes discharges at sea, to reception facilities, or to other ships.

## 2 Garbage and garbage management:

. Garbage includes all kinds of food, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the vessel and liable to be disposed of continuously or periodically except those substances which are defined or listed in other annexes to MARPOL 73/78 (such as oil, sewage or noxious liquid substances).

The Guidelines for the Implementation of Annex V of MARPOL 73/78 should also be referred to for relevant information.

## Description of the garbage

. The garbage is to be grouped into categories for the purposes of this record book as follows:

1. Plastics
2. Floating dunnage, lining, or packing material
3. Ground-down paper products, rags, glass, metal, bottles, crockery, etc.
4. Cargo residues, paper products, rags, glass, metal, bottles, crockery, etc.
5. Food waste
6. Incinerator ash

## 4 Entries in the Garbage Record Book

4.1. Entries in the [Garbage Record Book](#) shall be made on each of the following occasions:

- (a). When garbage is discharged into the sea:
  - (i). Date and time of discharge
  - (ii). Position of the ship (latitude and longitude). Note for cargo residue discharges, include discharge start and stop positions.
  - (iii). Category of garbage discharged
  - (iv). Estimated amount discharged for each category in m<sup>3</sup>
  - (v). Signature of the officer in charge of the operation.
- (b). When garbage is discharged to reception facilities ashore or to other ships:
  - (i). Date and time of discharge
  - (ii). Port or facility, or name of ship
  - (iii). Category of garbage discharged
  - (iv). Estimated amount discharged for each category in m<sup>3</sup>
  - (v). Signature of the officer in charge of the operation.
- (c). When garbage is incinerated:
  - (i). Date and time of start and stop of incineration
  - (ii). Position of the ship (latitude and longitude)
  - (iii). Estimated amount incinerated in m<sup>3</sup>
  - (iv). Signature of the officer in charge of the operation.
- (d). Accidental or other exceptional discharges of garbage:
  - (i). Time of occurrence
  - (ii). Port or position of the ship at time of occurrence
  - (iii). Estimated amount and category of garbage



- (iv). Circumstances of disposal, escape or loss, the reason therefor and general remarks.

**4.2. Receipts**

The master should obtain from the operator of port reception facilities, or from the master of the ship receiving the garbage, a receipt or certificate specifying the estimated amount of garbage transferred. The receipts or certificates must be kept on board the ship with the Garbage Record Book for two years.

**4.3. Amount of garbage**

The amount of garbage onboard should be estimated in m<sup>3</sup>, if possible separately according to category. The Garbage Record Book contains many references to estimated amount of garbage. It is recognized that the accuracy of estimating amounts of garbage is left to interpretation. Volume estimates will differ before and after processing. Some processing procedures may not allow for a usable estimate of volume, e.g. the continuous processing of food waste. Such factors should be taken into consideration when making and interpreting entries made in a record.

**Table A. Record of Garbage Discharges**

RECORD OF GARBAGE DISCHARGES										
Ship's _____		Name: Distinctive No., or letters IMO No.: _____								
<b>Garbage Categories:</b>										
1: Plastic.										
2: Floating dunnage, lining, or packing materials.										
3: Ground paper products, rags, glass, metal, bottles, crockery, etc.										
4: Paper products, rags, glass, metal, bottles, crockery, etc.										
5: Food waste.										
6: Incinerator ash.										
<b>NOTE:</b>										
THE DISCHARGE OF ANY GARBAGE OTHER THAN FOOD WASTE IS PROHIBITED IN SPECIAL AREAS. ONLY GARBAGE DISCHARGED INTO THE SEA MUST BE CATEGORIZED. GARBAGE OTHER THAN CATEGORY 1 DISCHARGED TO RECEPTION FACILITIES NEED ONLY BE LISTED AS A TOTAL ESTIMATED AMOUNT. DISCHARGES OF CARGO RESIDUES REQUIRE START AND STOP POSITIONS TO BE RECORDED.										
Date/time	Position of the Ship	Estimated Amount Discharged into Sea (m3)					Estimated Amount Discharged to Reception Facilities or to other ship (m3)		Estimated Amount Incinerated (m3)	Certification/Signature
		CAT.2	CAT.3	CAT.4	CAT.5	CAT.6	CAT.1	Other		
Master's _____					Signature: Date: _____					