

HELCOM RECOMMENDATION 8/5

Adopted 25 February 1987, having regard to Article 24 of the Helsinki Convention

RECOMMENDATION CONCERNING AMENDMENTS TO REGULATION 5 OF ANNEX VI AND THE APPENDIX TO ANNEX VI OF THE HELSINKI CONVENTION

THE COMMISSION,

RECALLING that Protocol I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), entered into force on 2 October 1983 and that Protocol I subsequently has been amended with effect from 6 April 1987,

RECALLING ALSO that the provisions of Article 8 and of the original version of Protocol I to MARPOL 73/78 on reports on incidents involving harmful substances are included in Regulation 5 and the Appendix of Annex VI of the Helsinki Convention,

RECALLING FURTHER Recommendation 7/12 concerning the Application of the IMO Guidelines for Reporting Incidents Involving Harmful Substances,

RECOGNIZING that as from 1 July 1986 all Contracting Parties to the Helsinki Convention are also parties to MARPOL 73/78 and consequently bound by the provisions of Article 8 and Protocol I to MARPOL 73/78 with regard to the protection of the marine environment of the Baltic Sea Area from pollution from ships,

CONSIDERING that, as a result of the developments in respect of MARPOL 73/78, there is no need to retain in the Helsinki Convention texts which reproduce provisions of Article 8 and Protocol I to MARPOL 73/78,

CONSIDERING ALSO that certain provisions contained in the present wording of Regulation 5 of Annex VI of the Helsinki Convention but not covered by MARPOL 73/78 should be retained in the amended text of Regulation 5,

TAKING INTO CONSIDERATION the amendment procedure for the Annexes of the Helsinki Convention, as contained in Article 24 of the Convention,

RESOLVES:

- a) to adopt the amendments to Regulation 5 and the Appendix to Annex VI of the Convention appearing in the Annex to this Recommendation;
- b) to ask the Depository Government to communicate the amendments to the Contracting Parties with the Commission's recommendation for acceptance;
- c) to determine that the amendments shall be deemed to have been accepted, unless prior to 25 March 1987, any one of the Contracting Parties has objected to the amendments; and
- d) to determine that the accepted amendments shall enter into force on 6 April 1987.

ANNEX

1. Regulation 5 of Annex VI of the Helsinki Convention is amended to read as follows:

"Regulation 5

1. The Contracting Parties, also being parties to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), apply in conformity with that agreement the provisions of Article 8 and Protocol I to MARPOL 73/78 on reports on incidents involving harmful substances. These provisions shall also be applied with regard to significant spillages of oil or other harmful substances in cases not covered by Article 8 of MARPOL 73/78.
 2. The Contracting Parties shall request masters of ships and pilots of aircraft to report without delay in accordance with this system on significant spillages of oil or other harmful substances observed at sea. Such reports should as far as possible contain the following data: time, position, wind and sea conditions, and kind, extent and probable source of the spill observed."
2. The Appendix to Annex VI is deleted.