

MARINE ENVIRONMENT PROTECTION
COMMITTEE
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Agenda item 9

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MANDATORY CODE FOR SHIPS OPERATING IN POLAR WATERS

Report of the Polar Code Correspondence Group

Submitted by the United Kingdom

SUMMARY

Executive summary: This document contains the report of the Polar Code Correspondence Group established at MEPC 66

Strategic direction: 5.2

High-level action: 5.2.1

Planned output: 5.2.1.15

Action to be taken: Paragraph 48

Related documents: SDC 1/3/1, SDC 1/3/19, SDC 1/26; MEPC 66/11/5, MEPC 66/11/6, MEPC 66/11/9, MEPC 66/11/10, MEPC 66/11/12, MEPC 66/11/13, MEPC 66/11/14 and MEPC 66/21

INTRODUCTION

1 MEPC 66 established a Polar Code Correspondence Group (hereinafter, the group) under the coordination of the United Kingdom.

2 The group had representation from the following Member Governments:

ARGENTINA
AUSTRALIA
BRAZIL
CANADA
CHINA
DENMARK
FINLAND
GERMANY
ICELAND
JAPAN
MARSHALL ISLANDS

NETHERLANDS
NEW ZEALAND
NORWAY
PANAMA
RUSSIAN FEDERATION
REPUBLIC OF KOREA
SINGAPORE
SWEDEN
UNITED KINGDOM
UNITED STATES
VANUATU

and by observers from the following non-governmental organizations in consultative status:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
FRIENDS OF THE EARTH INTERNATIONAL (FOEI)
COMMUNITY OF EUROPEAN SHIPYARDS ASSOCIATION (CESA)
CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)
WORLD WIDE FUND FOR NATURE (WWF)
PACIFIC ENVIRONMENT

TERMS OF REFERENCE

3 The group was instructed, taking into account the comments and decisions made at MEPC 66, to:

- .1 finalize parts II-A and II-B of the draft International Code for Ships Operating in Polar Waters, using annex 3 to document SDC 1/26 as the basis and taking into account documents MEPC 66/11/5 (paragraphs 2 to 9 and 11.2 to 11.8), MEPC 66/11/6, MEPC 66/11/9 (paragraphs 5.1 to 5.6), MEPC 66/11/10, MEPC 66/11/12, MEPC 66/11/13, SDC 1/3/1 and SDC 1/3/19 (paragraph 6);
- .2 finalize the draft amendments to the relevant Annexes of MARPOL to make the Polar Code mandatory, based on the approach and structure described in document MEPC 66/11/5 (paragraphs 9 and 10) and taking into account MEPC 66/11/14 (paragraphs 6 to 10); and
- .3 submit a written report to MEPC 67.

METHOD OF WORK

4 In phase I, the coordinator clearly outlined to the group the terms of reference as set out above and a timetable which clearly identified the timeline the group had to complete the work in. At each phase the coordinator issued clear guidance as to what was required of the group and reiterated the deadlines.

DRAFT POLAR CODE – GENERAL COMMENTS

5 The work was taken forward in two phases. Phase I involved producing a base text for parts II-A and II-B of the Polar Code. Phase II involved further developing the base text from phase I and preparing associated MARPOL amendments to make the Polar Code mandatory.

6 Draft versions of parts II-A and II-B of the Polar Code and the draft amendments to the relevant Annexes of MARPOL to make the Polar Code mandatory are set out in annexes 1 and 2, respectively.

7 At phase I, a base text was prepared by the coordinator and issued to the group. This text was based on annex 3 of document SDC 1/26 and the principles and results of the debate during MEPC 66. The base text removed all goals and functional requirements (and references thereto) pursuant to the decision made at MEPC 66 (MEPC 66/21, paragraph 11.27). In addition, the coordinator also removed the references to MARPOL Annex IV regulations in order to maintain the same style and approach of the

remaining parts of the Code, as well as other IMO Codes. The group considered the base text and whether the text was clear in its policy intentions. In addition, the group considered whether the additional provisions to the MARPOL regulations were appropriate for polar waters.

8 The group agreed that the chapter headings of the Polar Code should be consistent with the corresponding MARPOL Annex headings and that definitions for each chapter should be discussed once MSC 93 had completed its work on the Introduction part of the Polar Code.

9 The group generally agreed to the policy intent of the text, however, there was the view that certain provisions needed further consideration. Some members felt that further clarity could be achieved by explicitly referring to the corresponding MARPOL regulations or to include a copy of the relevant text.

10 At phase II, the group was invited to consider the revised text for parts II-A and II-B, in which generally agreed comments were reflected from phase I, as well as the draft associated MARPOL amendments, and, in particular:

- .1 to specifically indicate their preference in referencing the corresponding MARPOL regulation in the Polar Code provision text and whether there should be consistency across the chapters, (i.e. if one chapter refers back to a regulation as a signpost, should all chapters do so?);
- .2 to consider the application of part II-A to new and existing ships, and whether exemptions for certain ships from some provisions that require structural requirements or significant machinery additions are appropriate;
- .3 to consider whether there is a need to include provisions for single voyages (MEPC 66/21, paragraph 11.38); and
- .4 to consider the need for any consequential amendments to certification, manuals, plans and non-mandatory guidelines.

11 For clarity, issues under consideration by the group and the result of the groups deliberations are reflected under each relevant chapter (outlined below).

Part II-A

Application

12 The group developed text to clarify that the requirement to comply with the provisions of the Polar Code is in addition to, and not a substitution for, compliance with otherwise applicable provisions in the governing Annexes of MARPOL. This text is presented as the second paragraph of the "Application" section in each chapter of part II-A. In phase II, some members of the group raised concern that the text proposed in that paragraph was either unnecessary or repetitive and could be simplified. An alternative text has been developed to take into consideration all comments received and presented as option 2. As this could not result in an agreement during the final round, two options are presented for further consideration throughout the chapters in part II-A, although a view was expressed that both options may produce legal problems.

Chapter 1 – Prevention of pollution by oil

13 This chapter provides the provisions for the protection of polar waters from oil and oily mixtures from ships. The group was asked whether the text clearly reflected the results of the deliberations during MEPC 66 and the intended policy, and whether it is appropriate for the tank protection requirements, as proposed by SDC 1, to only apply to categories A and B ships.

Operational requirements

14 In phase I, text was proposed to split the discharge ban into two paragraphs (one for discharge from machinery spaces and one for discharges from cargo areas). In phase II there were mixed views on the revised text, with some members supporting the revised text, some members preferring the original text, and some members believing that the existing text could be simplified. Taking into consideration these comments, a further revised text has been drafted and presented as option 2.

15 In phase II, the group noted a proposal for a phase-in period (5 years) for the zero discharge requirement for category A ships intended to operate in ice for extended periods of time. However, this text has not been reflected in the draft text as the majority of the group considered it to be substantial issue, as an exemption or waiver to operational requirements, which was not in line with the Committee's decisions (see paragraph 11.22 of document MEPC 66/21).

Structural requirements

16 The group's view reflected differing interpretations as to what the text was trying to achieve. Several suggestions were submitted and further text (annex 1, chapter 1, paragraphs 1.3.1 to 1.3.3) was developed for the group to consider in phase II. While the majority of the group supported the text, some members were of the opinion that small oil residue tanks and oily bilge water tanks (i.e. not greater than 30 m³) should also be exempted from the segregation requirement from the viewpoint of consistency. In view of the above, paragraph 1.3.3 is retained in square brackets for further consideration.

Reception facilities

17 The group was instructed (MEPC 66/21, paragraph 11.36) to prepare relevant text for inclusion in chapter 1 on "Port Reception Facilities". The views of the group were divided on the proposed text. Some members requested deletion as the text was considered not aligned with regulation 38 of MARPOL Annex I and did not provide any additional provisions to those of regulation 38. The text was placed in square brackets for the group to consider further.

Chapter 2 – Control of pollution by noxious liquid substances in bulk

18 This chapter provides the provisions for the protection of polar waters from noxious liquid substances from ships. The group was asked to consider whether the text clearly reflected the results of the deliberations during MEPC 66 and the intended policy, and if it was appropriate for the tank protection requirements, as proposed by SDC 1, to only apply to categories A and B ships.

19 There were differing views in the group: proposals to delete the paragraph on tank protection requirements; retention of the text as the tank protection requirement only apply to new ship type 3 tankers falling under categories A and B ships; consideration of a redraft of the text was deemed necessary as under the proposed text it may lower the protection for cargoes to be carried on ship type I tankers; it is unclear which cargo properties are affected by low temperatures and the need for some form of protection following the undertaking of an impact assessment.

20 Following consideration, the majority of the group agreed that it was not possible to resolve the issue on the appropriate text for tank protection until an impact assessment is undertaken while some members noted that the assessment may not be needed. In view of the above, paragraph 2.2.3 is retained in square brackets for further consideration.

Chapter 3 – Prevention of pollution by harmful substances carried by sea in packaged form

21 The group is content to keep this as a placeholder.

Chapter 4 – Prevention of pollution by sewage from ships

22 This chapter provides the provisions for the protection of polar waters from sewage from ships. The group was asked to consider the policy intention, whether the text clearly reflected the intended policy, and if it was appropriate for some new requirements, as proposed by SDC 1, to only apply to categories A and B ships.

23 This chapter provides additional provisions to MARPOL Annex IV, which, unlike other annexes, applies only to ships engaged on international voyages. To avoid any ambiguity it was therefore proposed to say "operating in polar waters on international voyages" instead of "operating in polar waters." The group ultimately agreed, however, that "all ships to which MARPOL Annex IV applies" included, as per regulation 2 of MARPOL Annex IV, the limitation to only ships on international voyages, so that the proposed clarification was not deemed necessary. However, it should be noted that a view was expressed that since MARPOL Annex IV only applies to international voyages, chapter 4 regulations on pollution prevention from sewage would not be applicable to ships operating in Antarctic waters and they would only apply to very few ships operating in Arctic waters.

24 There was general agreement to the additional provision of referencing "any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10". However, it was felt that the terms "ice-shelf" and "land-fast ice" needed to be defined. It is further proposed that the terms "constructed" and "at similar stage of construction" should be defined in chapter IV. However, if the term "land-fast ice" is used in part I-A, the term should be defined in the introduction. An additional consideration is that the term "ice-shelf" is already used in the existing text of MARPOL Annex V, without definition in that Annex or the accompanying guidelines.

25 The base text removed references to specific MARPOL Annex IV regulations for the reasons outlined in paragraph 7. The group was divided on whether to retain or remove the references to MARPOL Annex IV regulations, therefore, two options of the text are presented for further consideration.

26 Some members questioned why the prohibition of the discharge of sewage only applied to new categories A and B ships and new passenger ships if they were not fitted with an approved sewage treatment system. It was noted that these ships would be operating in ice or producing higher volumes of effluent. In phase II it was suggested that the term "operating in ice" should be considered as this was introduced to part I-A of the Code in the MSC 93 deliberations as some category C ships would potentially operate in ice.

27 From observations made during phase II in relation to paragraph 4.3.3 of the draft Code, it is concluded that the intention of this paragraph is not clear and further consideration is needed.

Chapter 5 – Prevention of pollution by garbage from ships

28 This chapter provides the provisions for the protection of polar waters from garbage from ships. The group was asked to consider the policy intention and whether the text clearly reflected the intended policy.

29 There was general agreement to the additional provisions proposed by SDC 1. Several members suggested to ensure consistency with MARPOL Annex V and other chapters of part II-A that the general prohibition provision should be stated first in the requirements then followed by exceptions.

30 Another member raised the point that cargo residues had been overlooked and as a minimum the geographical differences which had been applied to the discharge limits for food waste, i.e. "any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10", for consistency should also be applied to cargo residues. This text was supported by some members and has been included in the draft text in square brackets.

31 The base text did not contain references to specific MARPOL Annex V regulations for the reasons outlined in paragraph 7. The group was divided on whether to retain or remove the references to MARPOL Annex V regulations, therefore, two options of the text are presented for further consideration.

Part II- B – General information

32 The base text for the group's review eliminated the general information section, which was redundant, of what was already contained within MARPOL. The group reviewed the draft text of part II-B and made some minor amendments. It was also proposed that additional text should be added in relation to guidance on animal carcasses. The proposed text has been inserted in part II-B in square brackets.

DRAFT AMENDMENTS FOR MAKING THE POLAR CODE MANDATORY UNDER MARPOL ANNEXES I, II, IV AND V

33 The coordinator prepared the base text for associated amendments to MARPOL for making the Polar Code mandatory, based on the approach and structure described in document MEPC 66/11/5 (paragraphs 9 and 10) and taking into account document MEPC 66/11/14 (paragraphs 6 to 10).

MARPOL Annex I

34 Based on paragraph 9 of document MEPC 66/11/5 as forwarded to the group by MEPC 66, and following consideration, the group prepared a simplified version of the definition of "Polar Code" which is in line with the approach taken for making the IBC Code mandatory, as well as the application provisions, as option 2 for the new regulations 46.1 and 47, for further consideration. The group agreed that once a decision is made on the above text, the same should be used for amendments to other Annexes of MARPOL.

35 It was agreed that the IOPP certificate forms A and B should be amended and proposed draft text was developed. In the phase II, two members proposed text to simplify the additional entries to forms A and B, taking into consideration the need for reducing the administrative burden. This text is set out as option 2 for the amendments to the IOPP certificate.

36 The group agreed that no consequential amendments would be required to the Oil Record Book, Manual and Plan.

MARPOL Annex II

37 The group agreed that the NLS Certificate required amendment, but were split as to whether the Certificate of Fitness required amendment. Two Members submitted proposed text for both certificates. However, this text was only relevant if the group agreed to tank protection provisions. The group also prepared draft amendments to the Manual under MARPOL Annex II.

38 The group agreed that no consequential amendments would be required to the Cargo Record Book and Plan.

MARPOL Annex IV

39 The group prepared draft amendments to the ISSP certificate (see annex 2).

MARPOL Annex V

40 Some members of the group agreed to the need for amendments to the Garbage Record Book. The group did agree that it was necessary to amend the Garbage Management Plan and placards, but that this should be done through amendments to relevant Guidelines under MARPOL Annex V (resolutions MEPC.209(63) and MEPC.220(63)).

Other considerations***Exemptions***

41 The group was instructed to consider the application of part II-A to new and existing ships, with exemptions from some provisions that require structural requirements or significant machinery additions.

42 Following consideration, the group agreed that, as the proposed constructional requirements would only apply to new ships, no exemptions would be required, bearing in mind MEPC 66's decision that additional operational requirements should apply to both new and existing ships.

Single voyages

43 As instructed by MEPC 66, the group considered whether there is a need to include provisions for single voyages within part II-A of the Polar Code and the associated MARPOL amendments.

44 Following consideration, the majority of the group was of the view that ships making its first or only occasional voyages in polar waters shall not be exempted from any technical and operational requirements, and that there was no need to include a provision for single voyages for their special consideration.

45 However, some members suggested that further consideration is needed for this issue. Those members were of the view that although there will be no exemption from technical or operational requirements of the Code, having a provision whereby a single document could be used to supplement existing MARPOL certificates and documents, instead of re-issuing all these documents, would reduce the administrative burden for vessels intending to perform single or only occasional voyages into polar waters.

Consequential amendments to PSC and HSSC Guidelines

46 The group agreed that there would be a need to amend the above-mentioned Guidelines and this could be achieved during the routine update of these Guidelines by the III Sub-Committee.

INTERSESSIONAL POLAR CODE WORKING GROUP

47 The group noted that C 112 had agreed to the holding of the Intersessional Polar Code Working Group in the week before MEPC 67 for three days and had limited its activities to finalizing the outcome of the work of the correspondence group established at MEPC 66.

ACTIONS REQUESTED OF THE COMMITTEE

48 The Committee is invited to consider this document, in conjunction with the report of Intersessional Polar Code Working Group, and take action as it deems appropriate.

ANNEX 1

PART II-A

POLLUTION PREVENTION MEASURES

CHAPTER 1 – PREVENTION OF POLLUTION BY OIL

1.1 Application

[Option 1]

- 1.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex I applies and which are operating in polar waters shall comply with the provisions in this chapter.
- 1.1.2 Ships shall comply with the provisions of this chapter in addition to any other applicable requirements under MARPOL Annex I.]

[Option 2]

- 1.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex I applies and which are operating in polar waters shall additionally comply with the provisions of this chapter.]

1.2 Operational requirements

[Option 1]

- 1.2.1 In respect of Arctic waters any discharge into the sea of oil or oily mixtures from the machinery spaces of any ship shall be prohibited.
- 1.2.2 In respect of Arctic waters, any discharge into the sea of oil or oily mixtures from the cargo area of an oil tanker shall be prohibited.
- 1.2.3 Operation in polar waters shall be taken into account, as appropriate, in the Oil Record Books, manuals and the shipboard oil pollution emergency plan or the shipboard marine pollution emergency plan as required by MARPOL Annex I.]

[Option 2]

- 1.2.1 In Arctic waters any discharge into the sea of oil or oily mixtures from any ship shall be prohibited.
- 1.2.2 Operation in polar waters shall be taken into account, as appropriate, in the Oil Record Books, manuals and the shipboard oil pollution emergency plan or the shipboard marine pollution emergency plan as required by MARPOL Annex I.]

Structural requirements

- 1.3.1 For category A and B ships constructed on or after [date of entry into force] with an aggregate oil fuel capacity of less than 600 m³, all oil fuel tanks shall be separated from the outer shell by a distance of not less than 0.76 m. This provision does not apply to small oil fuel tanks with a maximum individual capacity not greater than 30 m³.

1.3.2 For category A and B ships constructed on or after [date of entry into force] of less than 600 tonnes deadweight, all cargo tanks constructed and utilized to carry oil shall be separated from the outer shell by a distance of not less than 0.76 m.

[1.3.3 For category A and B ships constructed on or after [date of entry into force] all oil residue (sludge) tanks and oily bilge water holding tanks shall be separated from the outer shell by a distance of not less than 0.76 m.]

1.4 **Reception facilities**

[1.4.1 Ports within the Arctic waters shall be provided with adequate reception facilities for oil and oily mixtures from ships. Such facilities shall have adequate capacity to meet the needs of the ships using them without causing undue delay.]

CHAPTER 2 – CONTROL OF POLLUTION BY NOXIOUS LIQUID SUBSTANCES IN BULK

2.1 Application

[Option 1

2.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex II applies and which are operating in polar waters, shall comply with the provisions of this chapter.

2.1.2 Ships shall comply with the provisions of this chapter in addition to any other applicable requirements under MARPOL Annex II.]

[Option 2

2.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex II applies and which are operating in polar waters shall additionally comply with the provisions of this chapter.]

2.2 Operational requirements

2.2.1 In Arctic waters any discharge into the sea of noxious liquid substances, or mixtures containing such substances, is prohibited.

2.2.2 Operation in polar waters shall be take into account, as appropriate, in the Cargo Record Book, the Manual and the shipboard marine pollution emergency plan for noxious liquid substances or the shipboard marine pollution emergency plan as required by MARPOL Annex II.

[2.2.3 For categories A and B ships, constructed on or after [date of entry into force], all tanks used for carriage of noxious liquid substances shall be separated from the outer shell by a distance not less than 760 mm.]

CHAPTER 3 – PREVENTION OF POLLUTION BY HARMFUL SUBSTANCES CARRIED BY SEA IN PACKAGED FORM

Kept blank intentionally.

CHAPTER 4 – PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS

4.1 Application

[Option 1

- 4.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex IV applies and which are operating in polar waters shall comply with the provisions of this chapter.
- 4.1.2 Ships shall comply with the provisions of this chapter in addition to any other applicable requirements under MARPOL Annex IV.]

[Option 2

- 4.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex IV applies and which are operating in polar waters shall additionally comply with the provisions of this chapter.]

[Definitions

4.2

- .1 Constructed means
- .2 Ice-shelf means]

4.3 Operational requirements

[Option 1

- 4.3.1 Discharges of sewage within polar waters are prohibited, except when:
- .1 the ship is discharging comminuted and disinfected sewage using an approved system¹ at a distance of more than 3 nautical miles from any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10;
- .2 the ship is discharging sewage that is not comminuted or disinfected at a distance of more than 12 nautical miles from any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10;
- .3 in addition to the provisions in subparagraphs .1 and .2, in any case, the sewage that has been stored in holding tanks, or sewage originating from spaces containing living animals shall not be discharged instantaneously but at a moderate rate when the ship is en route and proceeding at not less than 4 knots: or

¹ Approved by the Administration.

- .4 the ship is discharging sewage using an approved sewage treatment plant² and is as far as practicable from the nearest land, any ice shelf, land-fast ice or areas of ice concentration exceeding 1/10.
- 4.3.2 Discharge of sewage into the sea is prohibited from category A and B, ships and all passenger ships constructed on or after [date of entry into force] except when in compliance with 4.2.1.4 of this chapter.
- [4.3.3 Notwithstanding the requirements of paragraph 4.3.1.1, category A and B ships that operate in areas of ice concentrations exceeding 1/10 for extended periods of time may only discharge sewage using an approved sewage treatment plant certified by the Administration to meet the operational requirements in either regulation 9.1.1 or 9.2.1 of MARPOL Annex IV. Such discharges shall be subject to the approval of the Administration and shall be noted on the International Sewage Pollution Prevention Certificate.]]

[Option 2

4.3 Requirements

- 4.3.1 Discharge of sewage into the sea shall only be permitted in accordance with MARPOL Annex IV and the following additional requirements:
- .1 the ship is discharging comminuted and disinfected sewage in accordance with regulation 11.1.1 of the Annex IV at a distance of more than 3 nautical miles from any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10;
- .2 the ship is discharging sewage that is not comminuted or disinfected in accordance with regulation 11.1.1 of Annex IV and at a distance of more than 12 nautical miles from any ice shelf or land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10; or
- .3 the ship has in operation an approved sewage treatment plant² certified by the Administration to meet the operational requirements in either regulation 9.1.1 or 9.1.2 of MARPOL Annex IV, and discharges sewage in accordance with regulation 11.1.2 of Annex IV and shall be as far as practicable from the nearest land, any ice shelf, land-fast ice or areas of ice concentration exceeding 1/10.]
- 4.3.2 Discharge of sewage into the sea is prohibited from category A and B, ships constructed on or after [date of entry into force], and all passenger ships constructed on or after [date of entry into force] except when such discharges are in compliance with 4.3.1.3 of this chapter.
- [4.3.3 Notwithstanding the requirements of paragraph 4.3.1, category A and B ships that operate in areas of ice concentrations exceeding 1/10 for extended periods of time may only discharge sewage using an approved sewage treatment plant certified by the Administration to meet the operational requirements in either regulation 9.1.1 or 9.2.1 of MARPOL Annex IV. Such discharges shall be subject to the approval of the Administration and shall be noted on the International Sewage Pollution Prevention Certificate.]]

² Refer to resolution MEPC.2(VI), resolution MEPC.159(55) or resolution MEPC.227(64) as applicable.

CHAPTER 5 – PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS

5.1 Application

[Option 1

- 5.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex V applies and which are operating in polar waters shall comply with the provisions in this chapter.
- 5.1.2 Ships shall comply with the provisions of this chapter in addition to any other applicable requirements under MARPOL Annex V.]

[Option 2

- 5.1.1 Unless expressly provided otherwise, all ships to which MARPOL Annex V applies and which are operating in polar waters shall additionally comply with the provisions of this chapter.]

5.2 Operational requirements

[Option 1

- 5.2.1 In Arctic waters, discharge of garbage into the sea is prohibited except when the following conditions are satisfied:
- .1 discharge into the sea of food wastes is only permitted when the ship is en route and as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land, nearest ice shelf, or nearest land-fast ice;
 - .2 food wastes shall not be discharged onto the ice;
 - .3 food wastes to be discharged shall be comminuted or ground and shall be capable of passing through a screen with openings no greater than 25 mm. Food wastes shall not be contaminated by any other garbage type; and
 - [.4 discharge of cargo residues that cannot be recovered using commonly available methods for unloading is only permitted when the ship is en route and not less than 12 nautical miles from the nearest land, nearest ice shelf, or nearest land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10. Such cargo residues shall not contain any substances classified as harmful to the marine environment, taking into account the Guidelines developed by the Organization.]
- 5.2.2 In the Antarctic area, discharge of garbage into the sea is prohibited except:
- .1 discharge into the sea of food wastes is only permitted when the ship is en route and as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land, nearest ice-shelf or nearest land-fast ice; and
 - .2 food waste shall not be discharged onto ice.

[Option 2

5.2.1 In Arctic waters, discharge of garbage into the sea, permitted in accordance with MARPOL Annex V, regulation 4 shall meet the following additional requirements:

- .1 discharge into the sea of food wastes is only permitted when the ship is as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land, nearest ice shelf, or nearest land-fast ice. Food wastes shall not be discharged onto the ice;
- .2 food wastes shall be comminuted or ground and shall be capable of passing through a screen with openings no greater than 25 mm. Food wastes shall not be contaminated by any other garbage type;
- .3 discharge of animal carcasses is prohibited;
- .4 food waste shall not be discharged onto the ice; and
- [.5 discharge of cargo residues not containing any substances that are harmful to the marine environment, only permitted when the ship is en route and 12 nautical miles from the nearest land, nearest ice shelf, or nearest land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10.]

5.2.2 In the Antarctic area, discharge of garbage into the sea, permitted in accordance with MARPOL Annex V, regulation 6 shall meet the following additional requirements:

- .1 discharge into the sea of food wastes is only permitted when the ship is as far as practicable from areas of ice concentration exceeding 1/10, but in any case not less than 12 nautical miles from the nearest land-fast ice;
- .2 food waste shall not be discharged onto ice; and
- [.3 discharge of cargo residues not containing any substances that are harmful to the marine environment, only permitted when the ship is en route and 12 nautical miles from the nearest land, nearest ice shelf, or nearest land-fast ice and shall be as far as practicable from areas of ice concentration exceeding 1/10;].

5.2.3 Operation in polar waters shall be taken into account, as appropriate, in the Garbage Record Book, Garbage Management Plan and the placards as required by MARPOL Annex V.]

PART II-B

ADDITIONAL GUIDANCE REGARDING THE PROVISIONS OF THE INTRODUCTION AND PART II-A

1 Additional guidance to chapter 1

[1.1 Ships are encouraged to apply regulation 43 of MARPOL Annex I when operating in the Arctic waters.]

1.1 Non-toxic biodegradable lubricants or water-based systems should be considered in lubricated components located outside the underwater hull with direct seawater interfaces, like shaft seals and slewing seals.

[2. Additional guidance to chapter 5

2.1 In order to minimize the risks associated with animal cargo mortalities, consideration should be given to how animal carcasses will be managed, treated, and stored on board when ships carrying such cargo are operating in polar waters. Reference is made in particular to resolution MEPC.219(63), *2012 Guidelines for the implementation of MARPOL Annex V*, and resolution MEPC.220(63), *2012 Guidelines for the development of garbage management plans*.]

3 Additional guidance under other environmental Conventions and guidelines

3.1 Until the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) enters into force, the ballast water management provisions of the ballast water exchange standard, set out in regulation D-1, or the ballast water performance standard, set out in regulation D-2 of the BWM Convention should be considered as appropriate. The provisions of the *Guidelines for ballast water exchange in the Antarctic treaty area* (resolution MEPC.163(56)) should be taken into consideration along with other relevant guidelines developed.

3.2 In selecting the ballast water management system, attention should be paid to limiting conditions specified in the appendix of the Type Approval Certificate and the temperature under which the system has been tested, in order to ensure its suitability and effectiveness in polar waters.

3.3 In order to minimize the risk of invasive aquatic species transfers via biofouling, measures should be considered to minimize the risk of more rapid degradation of anti-fouling coatings associated with polar ice operations. Reference is made in particular to resolution MEPC.207(62), *2011 Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species*.

Table: Example of matters related to anti-fouling systems taken into consideration by some ice going ships (This table is used by some operators of ice going ships)

	Hull	Sea Chest
Year round operation in ice-covered polar waters	Abrasion resistant low friction ice coating No anti-fouling system	Abrasion resistant coating Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by ship owner.
Intermittent operation in ice-covered polar waters	Abrasion resistant low friction ice coating In sides above bilge keel max thickness of anti-fouling system 75 µm [to protect hull between application of anti-fouling system and next anticipated voyage to ice-covered waters]. In bottom area thickness to be decided by ship owner. Composition of anti-fouling system should also be decided by the shipowner.	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by ship owner.
Category B & C vessels	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by ship owner.	Compliant with the AFS Convention. Thickness of anti-fouling system to be decided by ship owner.

ANNEX 2

DRAFT AMENDMENTS TO MARPOL ANNEXES I, II, IV AND V TO MAKE THE POLAR CODE MANDATORY

DRAFT AMENDMENTS TO MARPOL ANNEX I

Regulation 3 – Exemptions and waivers

1 In paragraph 3.1, the words "or section 1.3 of part II-A of the Polar Code", are inserted between "chapters 3 and 4 of this Annex" and "relating to construction".

2 A new paragraph 3.5.2.2 is added as follows:

"2 voyages within Arctic waters; or"

3 The existing paragraphs 3.5.2.2 to paragraph 3.5.2.6 are renumbered as paragraph's 3.5.2.3 to paragraphs 3.5.2.7 and the subparagraphs are renumbered accordingly.

4 The chapeau of the new paragraph 3.5.2.3 is replaced with the following:

".3 voyages within 50 nautical miles from the nearest land outside special areas or Arctic waters where the tanker is engaged in:"

Regulation 4 – Exceptions

5 The chapeau is replaced with the following:

"Regulations 15 and 34 of this Annex and paragraph 1.2.1 [and 1.2.2] of part II-A of the Polar Code, shall not apply to:"

Regulation 14 – Oil filtering equipment

6 Paragraph 14.5.1 is replaced with the following:

".1 any ship engaged exclusively on voyages within special areas or Arctic waters, or"

7 In paragraph 14.5.3.4, between the words "with special areas" and "or has been accepted", the words "or Arctic waters" are inserted.

Chapter 11 – International Code for ships operating in polar waters

8 A new chapter 11 is added as follows:

"Chapter 11 – International Code for ships operating in polar waters

Regulation 46 – Definitions

[Option 1

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction (the provisions of which shall be treated as mandatory), part I-A (the provisions of which should be treated as mandatory under the International Convention for the Safety of Life at Sea, 1974) and part II-A (the provisions of which shall be treated as mandatory under the relevant Annexes of the present Convention) and parts I-B and II-B (the provisions of which should be treated as recommendatory), as adopted by resolutions [MEPC....(...)] and MSC....(...)], as may be amended by the Organization, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 1 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

[Option 2

(alternative text as proposed in document MEPC 66/11/5 still open for discussion):

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, as adopted by resolutions MEPC....(...)] [and MSC....(...)], as may be amended by the Marine Environment Protection Committee, provided that

- .1 amendments to the environment-related provisions of the introduction and chapter 1 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

2 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'0 N and longitude 042°00'0 W to latitude 64°37'0 N, longitude 035°27'0 W and thence by a rhumb line to latitude 67°03'9 N, longitude 026°33'4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of

Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60°N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60°N and thence eastward along parallel of latitude 60°N, to longitude 56°37'1 W and thence to the latitude 58°00'0 N, longitude 042°00'0 W.

3 *Polar waters* means Arctic waters or the Antarctic area.

Regulation 47 – Application and requirements

[Option 1

1 Unless expressly provided otherwise, this chapter applies to all ships operating in polar waters.

2 Every ship covered by paragraph 1 of this regulation shall comply with the provisions contained in the introduction and chapter 1 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.

3 In applying chapter 1 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."]

[Option 2

1 Any ship operating in Polar waters shall be in compliance with the environmental part of the introduction and the provisions of chapter 1 of part II-A of the Polar Code, applicable to that ship.

2 In applying chapter 1 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."]

Form A of Supplements to the IOPP Certificate under MARPOL Annex I

[Option 1

9 A new Paragraph 2.5.1.2 is added after the existing paragraph 2.5.1.1 as follows:

"The ship is engaged exclusively on voyages within Arctic waters
..... □"

10 The existing paragraph 2.5.1.2 is renumbered as paragraph 2.5.1.3

11 The following paragraph is added after the existing paragraph 2A.2:

"2A.3 The ship is required to be constructed in accordance with part II-A, section 1.3.1 or 1.3.3 of the Polar Code..... □"

- 12 The following paragraphs are added after existing paragraph 5.2:
- "5.3 The ship is provided with a shipboard oil pollution emergency plan in compliance with regulation 37 and in compliance with paragraph 1.2.3 of part II-A of the Polar Code☐
- 5.4 The ship is provided with a shipboard marine pollution emergency plan in compliance with regulation 37.3 and in compliance with paragraph 1.2.3 of part II-A of the Polar Code☐"]

[Option 2

(alternative for Form A: instead of amendments 13 = 9, 14= 10, 15 =11, and 16 = 12 as reflected Option 1)

- 8 Compliance with part II-A – chapter 1 of the Polar Code
- 8.1 The ship is in compliance with additional requirements in the environment related provisions of the introduction and part II-A – chapter 1, paragraph 1.3 of the Polar code.....☐]

Form B of Supplements to the IOPP Certificate under MARPOL Annex I

[Option 1

- 13 At the end of paragraph 2.5.1 the following is added;
- "The ship is engaged exclusively on voyages within Arctic waters☐"
- 14 The following paragraph is added after the existing paragraph 2A.2:
- "2A.3 The ship is required to be constructed in accordance with part II-A, section 1.3.2 or 1.3.3 of the Polar Code.....☐"
- 15 A new paragraph 5.8.1.4 is added as follows:
- ".4 Paragraph 1.3.2 of chapter 1 of part II-A of the Polar Code (double hull construction for oil tankers less than 600 tonnes deadweight)☐."
- 16 The following paragraphs are added after existing paragraph 8.2:
- "8.3 The ship is provided with a shipboard oil pollution emergency plan in compliance with regulation 37 and in compliance with paragraph 1.2.3 of part II-A of the Polar Code☐
- 8.4 The ship is provided with a shipboard marine pollution emergency plan in compliance with regulation 37.3 and in compliance with paragraph 1.2.3 of part II-A of the Polar Code☐"]

[Option 2

(alternative for Form B, instead of amendments 17 = 13, 18 = 14, 19 = 15 and 20 = 16 as reflected in option 1)

11 Compliance with part II-A –chapter 1 of the Polar Code

11.1 The ship is in compliance with additional requirements in the environmental part of the introduction and part II-A – chapter 1, paragraph 1.3 of the Polar Code.]

DRAFT AMENDMENTS TO MARPOL ANNEX II

Regulation 3 – Exceptions

1 In the chapeau of paragraph 3.1, between the words "this Annex" and "shall not apply", the words "and chapter 2, paragraph 2.2.1 of part II A of the Polar Code" are inserted.

Regulation 16 – Measures of control

2 In paragraph 16.3, the reference to "regulation 13 and of this regulation" is replaced with "regulation 13 and of this regulation and paragraph 2.2.1 of part II-A of the Polar Code, when the ship is operating in Arctic waters."

Chapter 10 – International Code for ships operating in polar waters

3 A new chapter 10 is added as follows:

"Chapter 10 – International Code for ships operating in polar waters

Regulation 21 – Definitions

[Option 1

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction (the provisions of which shall be treated as mandatory), part I-A (the provisions of which should be treated as mandatory under the International Convention for the Safety of Life at Sea, 1974) and part II-A (the provisions of which shall be treated as mandatory under the relevant Annexes of the present Convention) and parts I- and II-B [(the provisions of which should be treated as recommendatory), as adopted by resolutions [MEPC....(...) and MSC....(...)] as may be amended by the Organization, provided that:

- .1 amendments to the environment-related provisions of the introduction and chapter 2 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

[Option 2

(alternative text as proposed in document MEPC 66/11/5, still open for discussion)

1 Polar Code means the International Code for Ships Operating in Polar Waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, as adopted by resolutions MEPC....(...) [and MSC....(...)], as may be amended by the Marine Environment Protection Committee, provided that

- .1 amendments to the environment-related provisions of the introduction and chapter 2 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

3 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'0 N and longitude 042°00'0 W to latitude 64°37'0 N, longitude 035°27'0 W and thence by a rhumb line to latitude 67°03'9 N, longitude 026°33'4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60°N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60°N and thence eastward along parallel of latitude 60°N, to longitude 56°37'1 W and thence to the latitude 58°00'0 N, longitude 042°00'0 W.

4 *Polar waters* means Arctic waters or the Antarctic area.

Regulation 22 – Application and requirements

[Option 1

1 Unless expressly provided otherwise, this chapter applies to all ships certified to carry noxious liquid substances in bulk, operating in polar waters.

2 Every ship covered by paragraph 1 of this regulation shall comply with the provisions contained in the introduction and chapter 2 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.]

[Option 2

1 Any ship operating in Polar waters shall be in compliance with the environmental part of the introduction and the provisions of chapter 2 of part II-A of the Polar Code, applicable to that ship.

2 In applying chapter 2 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."]

Amendments to the Manual

19 In paragraph 1.3 the words "Antarctic area" are replaced with the words "polar waters".

20 In the paragraph 4.4 the words "Antarctic area (the sea area south of latitude 60° south" are replaced with the words "polar waters".

DRAFT AMENDMENTS TO MARPOL ANNEX IV

Regulation 3 – Exceptions

- 1 The chapeau of paragraph 3.1 is replaced with the following:
 - "1 Regulation 11 of this annex and section 4.2 of part II-A of the Polar Code, shall not apply to:"

Chapter 7 – International Code for ships operating in polar waters

- 2 A new chapter 7 is added as follows:

"Chapter 7 – International Code for ships operating in polar waters

Regulation 17 – Definitions

[Option 1

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction (the provisions of which shall be treated as mandatory), part I-A (the provisions of which should be treated as mandatory under the International Convention for the Safety of Life at Sea, 1974) and part II-A (the provisions of which shall be treated as mandatory under the relevant Annexes of the present Convention) and parts I-B and II-B (the provisions of which should be treated as recommendatory), as adopted by resolutions [MEPC....(...) and MSC....(...)] as may be amended by the Organization, provided that:

- .1 amendments to [the environment-related provisions of] the introduction and chapter 4 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

[Option 2

(alternative text as proposed in document MEPC 66/11/5, still open for discussion)

1 Polar Code means the International Code for Ships Operating in Polar Waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, as adopted by resolutions MEPC....(...) [and MSC....(...)], as may be amended by the Marine Environment Protection Committee, provided that:

- .1 amendments to [the environment-related provisions of] the introduction and chapter 4 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

2 *Antarctic area* means the sea area south of latitude 60° S.

3 *Arctic waters* means those waters which are located north of a line from the latitude 58°00.0' N and longitude 042°00'0 W to latitude 64°37'0 N, longitude 035°27'0 W and thence by a rhumb line to latitude 67°03'9 N, longitude 026°33'4 W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60°N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etoin Strait and thence by the northern shore of the North American continent as far south as latitude 60°N and thence eastward along parallel of latitude 60°N, to longitude 56°37'1 W and thence to the latitude 58°00'0 N, longitude 042°00'0 W.

4 *Polar waters* means Arctic waters or the Antarctic area.

Regulation 18 – Application and Requirements

[Option 1

1 Unless expressly provided otherwise, this chapter applies to all ships to which this Annex applies, operating in polar waters.

2 Every ship covered by paragraph 1 of this regulation shall comply with the provisions contained in chapter 4 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.]

[Option 2

1 Any ship operating in Polar waters shall be in compliance with the environmental provisions of chapter 4 of part II-A of the Polar Code, applicable to that ship.

2 In applying chapter 4 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."]

Proposed Amendments to Certification

The ship is in compliance with additional requirements in the environment related provision of the introduction and part II-A – chapter 4 of the Polar code..... □

DRAFT AMENDMENTS TO MARPOL ANNEX V

Regulation 3 – General prohibition on discharge of garbage into the sea

1 In paragraph 3.1, the references "regulation 4, 5, 6 and 7 of this annex" are replaced with the references "regulation 4, 5, 6 and 7 of this annex and section 5.2 of part II-A of the Polar Code, as defined in regulation 13.1 of this annex."

Regulation 7 – Exceptions

2 The chapeau of paragraph 7.1 is replaced with the following:

"1 Regulations 3, 4, 5 and 6 of this Annex and section 5.2 of part II-A of the Polar Code shall not apply to:"

3 Paragraph 7.2.1 is replaced with the following:

".1 The en route requirements of regulations 4 and 6 of this Annex and paragraph 5.2.1 and 5.2.2 of part II-A of the Polar Code shall not apply to the discharge of food wastes where it is clear the retention on board of these food wastes presents an imminent health risk to the people on board."

Chapter 3 – International Code for ships operating in polar waters

4 A new chapter 3 is added as follows:

"Chapter 3 – International Code for ships operating in polar waters

Regulation 13 – Definitions

[Option 1

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction (the provisions of which shall be treated as mandatory), part I-A (the provisions of which should be treated as mandatory under the International Convention for the Safety of Life at Sea, 1974) and part II-A (the provisions of which shall be treated as mandatory under the relevant Annexes of the present Convention) and parts I-B and II-B (the provisions of which shall be treated as recommendatory), as adopted by resolutions [MEPC....(...) and MSC....(...)] as may be amended by the Organization, provided that:

.1 amendments to [the environment-related provisions of] the introduction and chapter 5 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the

provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and

- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

[Option 2

(alternative text as proposed in document MEPC 66/11/5, still open for discussion)

1 Polar Code means the International Code for Ships Operating in Polar Waters, consisting of an introduction, parts I-A and II-A and parts I-B and II-B, as adopted by resolutions MEPC....(...) [and MSC....(...)], as may be amended by the Marine Environment Protection Committee, provided that

- .1 amendments to [the environment-related provisions of] the introduction and chapter 5 of part II-A of the Polar Code are adopted, brought into force and take effect in accordance with the provisions of article 16 of the present Convention concerning the amendment procedures applicable to an appendix to an annex; and
- .2 amendments to part II-B of the Polar Code are adopted by the Marine Environment Protection Committee in accordance with its Rules of Procedure.]

2 *Arctic waters* means those waters which are located north of a line from the latitude 58°00'0" N and longitude 042°00'0" W to latitude 64°37'0" N, longitude 035°27'0" W and thence by a rhumb line to latitude 67°03'9" N, longitude 026°33'4" W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60°N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60°N and thence eastward along parallel of latitude 60°N, to longitude 56°37'1" W and thence to the latitude 58°00'0" N, longitude 042°00'0" W.

3 *Polar waters* means Arctic waters or the Antarctic area.

Regulation 14 – Application and requirements

[Option 1

1 Unless expressly provided otherwise, this chapter applies to all ships to which this Annex applies, operating in polar waters.

2 Every ship covered by paragraph 1 of this regulation shall comply with the provisions contained in chapter 5 of part II-A of the Polar Code, in addition to any other applicable requirements of this Annex.]

[Option 2

1 Any ship operating in polar waters shall be in compliance with the environmental part of the introduction and the provisions of chapter 5 of part II-A of the Polar Code, applicable to that ship.

2 In applying chapter 5 of part II-A of the Polar Code, consideration should be given to the additional guidance in part II-B of the Polar Code."]
